

MINUTE ENTRY
FALLON, J.
MARCH 1, 2007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

	:	MDL NO. 1355
IN RE: PROPULSID	:	
PRODUCTS LIABILITY LITIGATION	:	SECTION "L"
	:	
.....	:	JUDGE FALLON

THIS DOCUMENT RELATES TO ALL CASES

A monthly status conference was held on this date in the Courtroom of Judge Eldon E. Fallon. At the conference, counsel reported to the Court on the topics set forth in Joint Report No. 52 of Plaintiffs' Liason Counsel (PLC) and Defendants' Liaison Counsel (DLC).

I. State Liaison Counsel/MDL Resolution Program II

The enrollment requirements have been met for Propulsid II. The PLC recently filed a motion under seal that concerns issues related to Propulsid II and Item VII of this Minute Entry. The Court will review the motion, and counsel will confer to suggest a date for the motion to be heard.

II. Trust Account

There have been no deposits in the Trust Account since the last Status Conference. Russ Herman of the PLC stated that the Trust Account is in excellent condition and there has been appreciation on all accounts.

III. Trial Schedule

The matter of *Gregory A. Gellner v. Johnson & Johnson Co., et al.* has been adjourned, and no new date has been set.

JS10(0:50)

IV. MDL Mediation and Resolution Program

The Special Master reported that there are currently over 12,000 claimants who have enrolled in the First MDL Resolution Program, but did not submit claim forms. The Special Master continues to review claim forms to determine if the forms meet the qualifying criteria set forth in the term sheet. The DLC advised that it will seek dismissal of certain claimants and is discussing the issue further with the PLC.

The Special Master informs Plaintiffs' counsel regarding the deficiencies of various claims as they arise. However, the Special Master reported that there have been a significant number of claims with deficiencies according to the term sheet provisions. 4,370 Tier Claim Forms have been filed with the Special Master's office. 3,677 of those claims were noted to have deficiencies, and approximately 2,577 remain deficient. The Special Master stated that he has designated March 30, 2007 as the final date to correct deficiencies, and he is notifying attorneys of this deadline. If deficiencies remain after this date, the Special Master will submit a motion to dismiss all claims that remain deficient.

The Special Master further reported that 188 claims have been submitted to the medical panel for review thus far. Six of these claims have qualified for compensation consideration for which the Special Master has made awards. Six claims are currently in the panel review process. Four hundred claims are anticipated to be reviewed by the medical panel for eligibility determination by April 30, 2007.

The PLC and DLC have met with the Special Master by telephone on a weekly basis to discuss the progress of the program.

V. Pro se Plaintiffs

The State Liaison Counsel (SLC) and the PLC reviewed the list of *pro se* plaintiffs to dismiss. The DLC will review the list and promptly report to the Court.

VI. Emergency Motion for Distribution of Attorney's Fees

The hearing on the Motion to Reconsider the Emergency Motion for Distribution of Attorney's Fees will be continued until June 8, 2007. The parties are working to resolve the Motion for Common Benefit Fees and Expenses Reimbursements filed by Dumas & Associates Law Corporation. This motion will also be heard on June 8, 2007, if not resolved by that date.

VII. Liaison's Counsel Motion for Equitable Administration of the Settlement Agreement

The PLC filed a sealed Motion for Equitable Administration of the Settlement Agreement on February 7, 2007, which the Defendant opposes. The parties will confer to determine a suggested date for the Court to hear the motion.

VIII. Patricia Barnes v. Janssen Pharmaceutica, Inc. (CA No. 06-2001)

The Court issued an Order regarding the Plaintiff's renewal of a Motion to Remand on February 23, 2007. The parties are looking into the issue further and Dawn Barrios of the SLC will follow up with the Plaintiff's attorneys.

IX. Next Pretrial Status Conference

The next status conference will be held in person in the Courtroom of Judge Eldon E. Fallon on April 19, 2007 at 9:00 a.m., with liaison counsel to meet in Chambers at 8:30 a.m. Dial-in information for participation by telephone will be posted on the Propulsid MDL website, if necessary, prior to the conference.

A handwritten signature in black ink, consisting of a stylized, cursive name followed by a long horizontal line extending to the right.