

**MINUTE ENTRY
FALLON, J.
NOVEMBER 3, 2011**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

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

THIS DOCUMENT RELATES TO ALL CASES

A Monthly Status Conference was held on this date by telephone in the Chambers of Judge Eldon E. Fallon. At the conference, counsel reported to the Court on the topics set forth in Joint Report No. 93 of Plaintiffs' Liaison Counsel (PLC) and Defendants' Liaison Counsel (DLC). This conference was transcribed by Ms. Jodi Simcox, Official Court Reporter. Counsel may contact Ms. Simcox at (504) 589-7780 to request a copy of the transcript. A summary of the Monthly Status Conference follows.

I. MDL Resolution Programs I and II

MDL Resolution Programs I and II are nearing an end. All qualified tiered claims have been submitted to the Medical Panel in both programs. In addition, the Special Master's Office is finalizing the clearance of any remaining administrative claims in both programs.

Pursuant to Section 23 of the Amendment to the Term Sheet, several plaintiffs requested a second review of the decisions rendered by the Medical Panel in their cases. Twenty-one of those requests have been granted and submitted to the Medical Panel for a second review. The

balance have been denied a second review.

II. Distribution of MDL Settlement Funds

On November 30, 2009, the Court issued an Order granting Joint Motion for an Order authorizing Distribution of MDL I Settlement Funds which authorized the transfer of \$8.75 million (Canadian) from the Settlement Fund of the MDL I Propulsid Resolution Program Fund to the Propulsid Resolution Program and further authorized a distribution in the same amount for appropriate contributions to charitable organizations.

On October 26, 2011, the parties brought before the Court a Joint Petition to Distribute the Charitable Fund, which the Court granted on the same day. [Rec. Doc. 4406, 10/26/11].

Defendants are coordinating the release of the money from Deutsche Bank to Louisiana Health Public Initiative (LPHI).

III. Attorney's Fees Issues

The PSC will be filing a motion, and the Court will address the attorney's fees issue at a later date.

IV. Motions to Dismiss

Defendants are preparing Rules to Show Cause to Dismiss Plaintiffs who did not qualify, who did not enroll, and who failed to prosecute their claims. Defendants are also preparing Motions to Dismiss as to plaintiffs whose claims have been paid and as to plaintiffs whose claims were ineligible for payment. The Defendants and Special Master are coordinating the lists for each filing to ensure that the dismissals reflect claims that should be dismissed.

V. Current Propulsid II Timeline Status Report

1. Claim Forms were due on 12/1/07. The Special Master's Office has received 1,750

claim forms.

2. Medical Records were due on 1/30/08. To date, approximately 97 % of the claimants who have submitted claim forms have submitted medical records.

3. Claimant memorandums were due on 3/30/08. To date, the Special Master's Office has received 9% of these on Tier claims.

4. Administrative claims began being processed on 4/1/08. To date, 964 of these claims have been paid and proceeds forwarded to claimants.

5. The Special Master's Office began clearing claims for defense briefing on 5/31/08. All qualified tier claims with medical records have been cleared for defense briefing.

6. The Special Master's Office began receiving defense memorandum on August 22, 2008.

7. Expedited claims began going to medical panels on August 28, 2008. Disbursements began on December 23, 2008 regarding administrative payments on any of these claims which were declared ineligible. The most recent batch was disbursed on October 25, 2011.

8. Non-expedited claims began going to medical panels on September 27, 2008 and administrative payments on any of these claims which were declared ineligible began on December 23, 2008. The most recent batch was disbursed on October 25, 2011.

9. Three of the eligible claims have been paid in full. Payment of the fourth and fifth eligible claims will be disbursed when the required documentation has been submitted.

10. Panel review status:

Total to Panel: 402

Eligible: 5

In review: 0

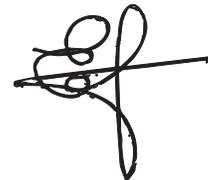
Ineligible: 397

VI. Next Status Conference

The next status conference will be held by telephone on January 5, 2012 at 1:30 p.m.

(CT). Parties may participate by following these steps:

1. Dial 877-336-1839.
2. Once you are connected, enter access code 4227405. You may be put on hold until the host (the Court activates the call).
3. Once the call is activated, enter participant security code 010512 followed by the pound (#) key.
4. Finally, you will be given the option to accept or re-enter the participant security code before you are entered into the call.

A handwritten signature in black ink, consisting of a stylized, cursive script that is difficult to decipher. It appears to be a signature of a legal professional.