

**MINUTE ENTRY
FALLON, J.
JANUARY 5, 2012**

**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. 94 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-nine 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).

On December 15, 2011, the Court issued an Order [Rec.Doc. No. 4425] on the Joint Motion and Order for Partial Disbursement of Settlement Funds to Defendant Johnson & Johnson granting the motion and disbursing \$40,000,000.00 out of the Settlement Fund in MDL I and \$5,000,000.00 out of the Settlement Fund in MDL II to Defendant Johnson & Johnson, and further ordered that if the Court at a later date determines that the Settlement Funds in the MDL I and/or MDL II are insufficient and additional funds are needed to satisfy any remaining claims, Johnson & Johnson shall return and replenish the settlement funds.

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

Since the last Joint Report, Defendants have filed numerous Motions to Dismiss and

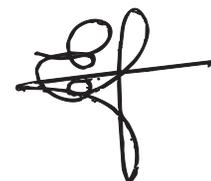
Stipulations of Dismissals, covering 695 plaintiffs in the following categories: claims that have been processed and paid; claims that were ineligible for payment; plaintiffs who failed to prosecute their claims; claims that did not qualify for the Resolution Programs; and/or plaintiffs who did not enroll in the Resolution Programs. Additional Stipulations of Dismissal have been prepared by the Defendants covering approximately 612 plaintiffs. These additional stipulations are being reviewed by the Special Master and individual plaintiff's counsel and should be filed shortly. Once these additional stipulations are filed, only a few hundred plaintiffs will remain on the Court's docket. The goal of Plaintiffs Liaison Counsel, Defendants Liaison Counsel, and the Special Master is to have all the remaining claims processed and dismissed as soon as possible, and the parties and the Special Master are working diligently toward that goal.

V. Next Status Conference

The next status conference will be held by telephone on March 8, 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 030812 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, appearing to be the initials 'EF' with a long horizontal stroke extending to the right.