#### UNITED STATES DISTRICT COURT

#### EASTERN DISTRICT OF LOUISIANA

## In Re: TAXOTERE (DOCETAXEL) PRODUCTS LIABILITY LITIGATION

MDL NO. 2740

SECTION "N" (5)

# THIS DOCUMENT RELATES TO ALL CASES

### <u>PRETRIAL ORDER NO. 6</u> (Order Appointing Settlement Committees)

The Court previously indicated to all counsel its intention to appoint committees for both plaintiffs and defendants charged with engaging in continuous general settlement discussions on a regular basis, as opposed to participating in detailed discovery, trial preparations, and presentations at trial, wherein those time-consuming tasks would distract counsel from pursuing avenues for potential resolution of some or all of the issues in this multi-district litigation. The settlement committees are expected to hold regular discussions, in an attempt to establish common understandings, potential ground rules, component parts and concepts, anticipated relief, necessary approvals, and ultimately financial details, including drafting of all pertinent documents, in an attempt to resolve this matter prior to remand of some or all of the member cases. These discussions are to be both among the separate committee members themselves and with each other across the adversarial divide, as well as with and/or without the input of the assigned Magistrate Judge in this matter.

Therefore, based upon the applications solicited by the undersigned and submitted by a wide variety of highly competent counsel, the Court has narrowed down settlement committee memberships and hereby appoints the following:

# 1. <u>Plaintiff Settlement Committee</u>:

Ben W. Gordon, Jr. Levin Papantonio 316 S. Baylen Street, #600 Pensacola, Florida 32502 (Phone): 850-432-7274 (Facsimile): 850-436-6010 Email: bgordon@levinlaw.com

Mark R. Niemeyer Niemeyer, Grebel & Kruse, LLC 10 S. Broadway, Suite 1125 St. Louis, Missouri 63102 (Phone): 314-241-1919 (Facsimile): 314-665-3017 Email: <u>niemeyer@ngklawfirm.com</u>

Irving J. Warshauer Gainsburgh, Benjamin, David, Meunier & Warshauer, L.L.C. 2800 Energy Centre 1100 Poydras Street New Orleans, Louisiana 70163 (Phone): 504-522-2304 (Facsimile): 504-528-9973 Email: <u>iwarshauer@gainsben.com</u>

Dennis C. Reich **Reich and Binstock LLP** 4265 San Felipe #1000 Houston, Texas 77027 (Phone): 713-622-7271 (Facsimile): 713-623-8724 Email: <u>dreich@reichandbinstock.com</u>

Ashlea G. Schwarz **Paul McInnes LLP** 601 Walnut Street, Suite 300 Kansas City, Missouri 64106 (Phone): 816-984-8100 (Facsimile): 816-984-8101 Email: <u>ashlea@paulmcinnes.com</u>

## 2. <u>Defendant Settlement Committee</u>:

Anand Agneshwar **Arnold & Porter** 399 Park Avenue New York, New York 10022-4690 (Phone): 212-715-1107 (Facsimile): 212-715-1399 anand.agneshwar@aporter.com

Bruce H. Nagel Nagel Rice LLP 103 Eisenhower Parkway Roseland, New Jersey 07068 (Phone): 973-618-0400 (Ext. 110) (Facsimile): 973-618-9194 bnagel@nagelrice.com

Harvey L. Kaplan Shook, Hardy & Bacon 2555 Grand Boulevard Kansas City, Missouri 64108 (Phone): 816-559-2214 (Facsimile): 816-421-5547 Email: <u>hkaplan@shb.com</u>

John Strongman Shook, Hardy & Bacon 2555 Grand Boulevard Kansas City, Missouri 64108 (Phone): 816-559-2430 (Facsimile): 816-421-5547 Email: jstrongman@shb.com

These committees are to convene separately (in person or by telephone) within thirty (30) days to select among them a spokesperson (or chair) whose responsibilities shall be to organize meetings and handle communication with the counterpart committee as well as with the Court. The terms of appointment to these committees shall be the same for the appointment of counsel to the liaison committees (see Pretrial Order No. 2, Rec. Doc. 104), i.e., the initial term shall extend until January 1, 2018, and all other provisions of Paragraph 5 of Pretrial Order No. 2 shall apply.

## Case 2:16-md-02740-KDE-MBN Document 133 Filed 12/13/16 Page 4 of 4

In addition, the Court will, from time to time, meet by phone and in person with the settlement committees as so desired.

New Orleans, Louisiana, this 13th day of December 2016.

Mand KURT D. ENGEI UNITED STATES DISTRICT JUDGE