

meet and confer with Leonard Davis, David Buchanan and Barbara Frederiksen to discuss the draft Joint Motion and Order. The parties have agreed to conduct additional meet and confers. The parties will be prepared to discuss this further at the August 6, 2004 Monthly Status Conference.

II. State Liaison Counsel (Minute Entry, November 16, 2000)

The State Liaison Committee will report to the Court regarding the efforts of the Committee at the August 6, 2004 Monthly Status Conference.

III. Patient Profile Form and Authorization

As of August 3, 2004, defendants have received 3131 PPFs, 857 are overdue, and 0 will become due in thirty days.

DLC has agreed to PLC's request that motions to dismiss for failure to provide a PPF be halted during the period in which claimants may opt in to the MDL 1355 settlement.

IV. Service List of Attorneys

The parties will present the Court with the most current Master List of all Counsel, which will contain, where available, e-mail addresses.

V. Motion on Class Certification.

The PLC has not yet filed the revised Motion for Class Certification. The parties will be prepared to discuss this further at the August 6, 2004 Monthly Status.

VI. Trust Account

Since last month's Status Conference, Defendants have made no deposits of settlement funds into the Court's Registry.

VII. Mediation

No additional mediations have taken place since the last month's Status Conference. The parties will be prepared to discuss this further at the August 6, 2004 Monthly Status Conference.

VIII. Trial Schedule

On June 10, 2004 DLC furnished PLC with an updated list of state court trials scheduled this year.

IX. Pharmacy Indemnity Agreements

DLC continues to produce copies of all MDL pharmacy indemnity agreements which Defendants have executed to PLC. DLC will continue to furnish such agreements, if any, as they are executed.

X. MDL Mediation and Resolution Program

The parties finalized the Claims Form and Enrollment Forms and they have been uploaded to the Court's website. The parties have selected Daniel Clavier to assist in the accounting/administrative aspects of the MDL Mediation and Resolution Program. The parties are preparing a Joint Motion/Order for the appointment of Mr. Clavier as the Court Appointed Disbursing Agent.

Mr. Clavier has communicated with representatives of Deutsche Bank, Special Master Pat Juneau, as well as PLC and DLC to assist in securing a lease for office space, hiring personnel and other matters relating to the Program. The lease for an office space has been negotiated. Two (2) individuals have been made offers for administrative positions to assist Special Master Pat Juneau in administering the Program.

In addition, the parties have reviewed the lists of proposed medical panel members proposed by each side. Defendants have objected to one of the PSC's nominees. PLC has objected to Defendants' nominees. PLC and DLC have met and conferred and will be prepared to discuss this further at the August 6, 2004 Monthly Status Conference.

Enrollment Forms have begun to be served on the PSC and defense counsel. At the present time, PSC attorneys have begun to review proposed Enrollment Forms as to their clients. Those Enrollment Forms include approximately 5000 persons who are under tolling agreements, approximately 2000 plaintiffs in the *Achord* suit (the suit filed in this Court on behalf of Louisiana resident plaintiffs which serves as a substitute for a tolling agreement as to them) and approximately 50 plaintiffs in suits currently pending in this Court. The parties expect that Enrollment Forms will begin to arrive in greater numbers in the weeks ahead.

The parties will be prepared to discuss these issues further at the August 6, 2004 Monthly Status Conference.

XI. Global Application of Daubert

The parties have had no further discussions regarding this matter and the matter is on hold

pending the outcome of the MDL's Settlement Program.

XII. Stipulation and Pre-Trial Order Providing for the Use at Trial of Depositions in State or Federal Courts

The parties have further discussed the Stipulation concerning the use of depositions in MDL matters. The parties will be prepared to discuss this further at the August 6, 2004 Monthly Status Conference.

XIII. CIS NED-32 Deposition

The 30(B)(6) deposition regarding the final version of CIS NED-32 has been canceled, without prejudice, to be rescheduled at a later date.

XIV. Motion for Summary Judgment

PLC has delayed the filing with the court of a Motion for Summary Judgment regarding Johnson & Johnson's liability. The parties will be prepared to discuss this further at the August 6, 2004 Monthly Status Conference.

XV. Stipulation and Order Appointing Patrick Juneau as Special Master in Compliance with Rule 53

The parties finalized the Stipulation and Order providing for the appointment of Special Master, Patrick Juneau, in compliance with Federal Rule of Civil Procedure 53 and the Order was entered on June 29, 2004. This item may be removed from the Agenda.

XVI. Walgreen Louisiana Company, Inc.'s Motion for Summary Judgment (*Janet Beo v. Stephanie Newport, et al*, #01-0600)

The Court has agreed to defer ruling on this Motion until enrollment figures have been

determined.

XVII. Motions for Summary Judgment as to Doctor Defendant, Stephen A. Tramill, M.D. (*Robert R. Boykin v. Johnson & Johnson*, #03-2541)

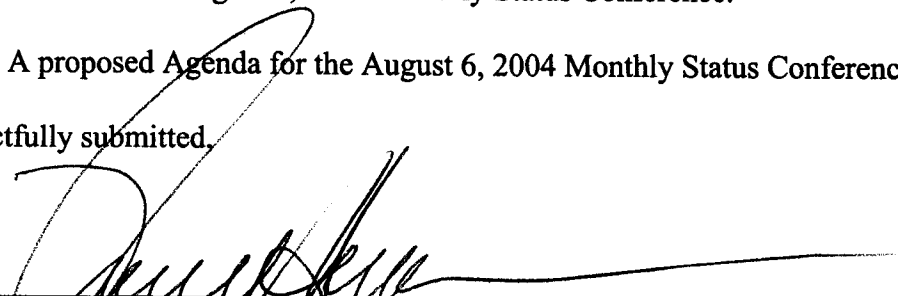
DLC has been notified that Dr. Tramill has not secured a dismissal from plaintiff's attorney as requested. Counsel for Dr. Tramill has requested that if the enrollment figures are not met within 60 days that the Court re-visit his request for a dismissal. DLC does not object, and will work with Dr. Tramill's counsel, if necessary, on correcting the Statement of Undisputed Facts. PLC has no position on the Motion.

XVIII. Pre-Trial Order listing MDL Plaintiffs

On July 20, 2004, defendants filed a Motion and Order Identifying Individuals Whose Cases are Pending in the MDL. DLC advises that this motion was filed for purposes of the MDL Mediation and Resolution Program. PLC and DLC are communicating regarding this motion and have agreed to postpone the hearing date on the motion. The parties will be prepared to discuss the matter further at the August 6, 2004 Monthly Status Conference.

A proposed Agenda for the August 6, 2004 Monthly Status Conference is attached.

Respectfully submitted,



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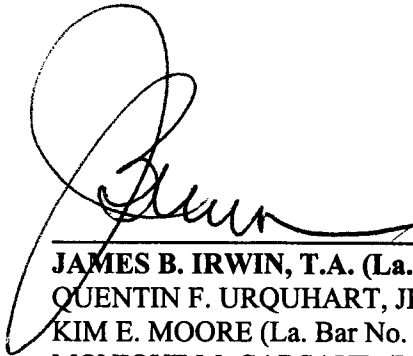
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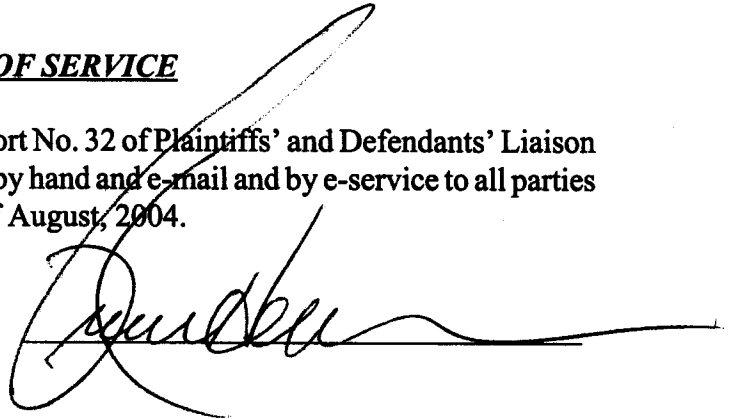
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Joint Report No. 32 of Plaintiffs' and Defendants' Liaison Counsel was served on Plaintiffs' Liaison Counsel by hand and e-mail and by e-service to all parties by uploading same to Verilaw, on this 4~~th~~ day of August, 2004.



State or Federal Courts

13. CIS NED-32 Deposition
14. Motion for Summary Judgment
15. Stipulation and Order Appointment Patrick Juneau as Special Master in Compliance with Rule 53
16. Walgreen's Motion for Summary Judgment
17. Aldridge and Cooley Motions for Summary Judgment as to Doctor Defendants
18. Pre-Trial Order Listing MDL Plaintiffs