

MINUTE ENTRY
FALLON, J.
March 15, 2001

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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

THIS DOCUMENT RELATES TO ALL CASES:

A pretrial status conference was held March 15, 2001 at 9:00 a.m. in the courtroom of Judge Eldon E. Fallon. In attendance for Plaintiffs were Richard J. Arsenault, Robert Blanchard, Dawn Barrios, Daniel E. Becnel, Leonard Davis, James Dugan, Walter Dumas, Russ M. Herman, Barry Hill, Larry Morris, Stephen Murray, Gordon Rudd and Chris Seeger. In attendance for Defendants were Thomas F. Champion, James B. Irwin, Charles F. Preuss, and Quentin F. Urquhart, Jr. At the conference, counsel reported to the Court on the topics set forth in Joint Report No. 5 of Plaintiffs' and Defendants' Liaison Counsel.

1. Virtual Document Depository

Counsel reported that no further progress has been made in creating a virtual document depository. Both Plaintiffs and Defendants remain concerned about security issues and plan to continue their security evaluation.

2. Master Complaint/Answer

Plaintiffs explained that they plan to prepare a brief to submit to the Court after review by Defendants on the issue of drafting a mater complaint/answer. Plaintiffs expressed concern about the drafting of a master complaint/answer.

3. Update to Rolling Document Production

Counsel reported that approximately ninety-two thousand (92,000) pages of documents were produced on March 1, 2001 from the corporate sector for marketing and sales of the Defendants and that an additional and larger production will be made regarding marketing and sales documents on or before March 15, 2001. Defendants indicated that the April production will consist primarily of documents from the Customer Action Center. In addition, counsel stated that document production from Belgium will proceed within the next sixty (60) days. Finally, counsel identified June 30, 2001 as the date by which all domestic document production should be completed.

4. Electronic Service/Verilaw

Counsel reported that the Verilaw electronic service site for this litigation was activated on March 9, 2001 and is now fully operational. User identifications and passwords have been furnished by Verilaw to attorneys who are properly registered in accordance with Pretrial Order No. 4 and its Supplements.

5. State Liaison Counsel

Counsel reported that representatives from the New Jersey state cases, the Texas state cases and this MDL litigation met in Dallas, Texas on February 28, 2001, in connection with electronic document production issues.

6. Electronic Document Preservation and Production

Counsel reported that they have reached an agreement in principle regarding the preservation of domestic electronic documents. Counsel are continuing their negotiations and will report to the Court on their progress at the next pretrial status conference.

With regard to the preservation of international electronic data, Defendants report that logistical and technical problems remain unresolved. Defendants indicated that they have notified management personnel in appropriate international locations. The Court ORDERED Defendants to produce the names and addresses of those individuals responsible for managing, maintaining, and preserving documents and data in each relevant geographic area abroad.

With respect to production of electronic data, the parties indicated that they are discussing the development of language for a protocol that would provide for the handling of such materials.

7. 30(b)(6) Deposition Regarding Corporate Organization

Counsel indicated that they conducted corporate depositions on March 12, 2001.

8. Plaintiff Profile Forms and Authorizations

Plaintiffs' Liaison Counsel reported that he was still receiving plaintiff profile forms and authorizations from plaintiffs after having sent reminder letters. The Court reiterated the importance of Plaintiffs providing this information to Defendants. Defendants' Liaison Counsel expressed concern over the use of medical authorizations, and counsel agreed to meet to resolve this issue.

8. Scheduling of April Pretrial Status Conference

The next pretrial status conference will be held on Thursday, April 19, 2001 at 9:00 a.m.