

**MINUTE ENTRY  
FALLON, J.  
MAY 15, 2008**

**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. 64 of Plaintiffs' Liaison Counsel (PLC) and Defendants' Liaison Counsel (DLC).

I. State Liaison Counsel/MDL Resolution Program II

The enrollment requirements have been met for the State Settlement Program (Propulsid II). Escrow Agreements have been executed and Defendants have funded the various funds. The claims, medical records, and claimant memoranda deadlines have passed. Administrative claims are being processed and disbursements are expected to begin in early June 2008. The Special Master's Office will begin clearing claims for defense briefing at the end of May 2008, and the defendants have advised that they will begin submitting defense memoranda by August 2008.

II. Trust Account

No deposits have been made into the Trust Account since the last status conference.

III. MDL Mediation and Resolution Program

The deadline for enrollment and the submission of claims forms for the First MDL

Resolution Program has expired. The Special Master reports that there are over 15,000 claimants who enrolled, but did not submit claims forms. The Special Master filed a Motion to Dismiss such claimants and is verifying the list of claimants to be dismissed.

The Special Master reports that 1,955 Tier I, II, and III claims have been submitted to the medical panel for review. Of these 1,955 claims, 1,718 have been treated on an expedited basis. Twelve (12) of the submitted tiered claims have been found eligible by the panel, and the Special Master has made those awards. One hundred eighty-six (186) submitted claims are still in the review process, with 180 of these considered expedited by the Defendants.

On April 29, 2008, the Court entered an Order regarding the waiver of the 6% MDL assessment fee as to those claimants found eligible by the medical panel. As for those claimants who have already received awards and whose awards were subject to the 6% assessment, the Clerk of Court remitted a check to the Special Master to reimburse those claimants for such assessment and further, the balance of the awards, the holdback 50% of the awards, was paid out from the Settlement Fund to each claimant that was found eligible for an award and who had previously received only 50% of their award.

The weekly telephone conference with the Special Master, PLC, DLC and SLC continues to take place to discuss issues regarding the Resolution Program.

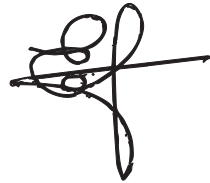
#### IV. Emergency Motion for Distribution of Attorney's Fees

On November 23, 2005, the Court issued an Order and Reasons regarding the Emergency Motion for Distribution of Attorney's Fees with full reservation of rights to all attorneys who may claim any right to common fees and expense reimbursement. On December 5, 2005, Daniel E. Becnel filed a Motion to Reconsider the Motion. The matter has been reset for hearing on September 24, 2008, at 9:00 a.m. On March 2, 2006 Dumas & Associates Law Corporation filed

a Motion for Common Benefit Fees and Expenses Reimbursements. On April 4, 2006, the PLC filed a response to the motion. A hearing date has not been set.

V. Next Status Conference

The next status conference will be held by telephone on June 26, 2008 at 9:00 a.m. Dial-in information for participation will be posted on the Propulsid MDL website prior to the conference.

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