

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**IN RE: PROPULSID  
PRODUCTS LIABILITY LITIGATION**

**MDL NO. 1355**

**SECTION "L"**

**JUDGE FALLON**

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**REPORT TO THE COURT**

There have been 4,370 Tier Claims filed with the office of the Special Master. Of those claims, 3,677 were noted to have deficiencies. Of that number, approximately 2,577 still have deficiencies. The attorneys representing those claimants have been advised of the deficiencies.

On those claims where the deficiencies were corrected, the parties were allowed, under the provisions of Section 13 of the TERM SHEET, to submit a confidential memorandum within 60 days. Upon receipt of the memorandum, the claims were submitted to a medical panel for determination of eligibility. This process has resulted in 184 Tier I, II, and III claims being presented to medical panels. Our records further reflect that the medical panels have made their determinations on those claims within the time periods allowed by Section 13 of the TERM SHEET.

In an effort to reduce the processing time, the Special Master has thus far identified approximately 400 claims that can be considered on an expedited basis. Those claims are being processed and submitted to the defendant within the next 30 days for a reduced briefing period. It is anticipated that 45 days thereafter, 400 briefs should be received by the defendant on those expedited claims. Those claims will then be submitted to medical panels and eligibility determinations should be made by the medical panels on those 400 claims by April 30, 2007.

By April 30, 2007, it is anticipated that the Special Master will have received eligibility determinations on a total of 604 tier claims.

Aside from the tier claims that have been received, we have received 8,677 Medical Record Reimbursement Forms. Of that number, 4,782 have been processed and reviewed by the medical panel. The remaining 3,895 of these claims contain deficiencies and the Special Master is waiting on corrections of those deficiencies.

On those tier claims that have been declared eligible by the Medical Panels, the Special Master has made an award within two weeks of each determination. All of the 4,782 claims submitted on the Medical Records Reimbursement Forms, which were clear of deficiencies, have been reviewed by the Medical Panel and the \$250 payment has been made.

The final date to correct noted deficiencies and submit the “required medical records” will be March 30, 2007. On those claims where there are no medical record submissions, the Special Master will submit to the Court a motion to dismiss with prejudice those claims pursuant to the provisions of Section 7 of the TERM SHEET.

/s/ PATRICK A. JUNEAU  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 15, 2007, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all known counsel of record who are participants. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:

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Lafayette, Louisiana, this 15<sup>th</sup> day of February, 2007.

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