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September 27, 2013

Via CM/ECF

The Honorable Donovan W. Frank
United States District Court
342 Warren E. Burger Federal Courthouse
316 N. Robert Street
St. Paul, MN 55101

Re: ***In re: Stryker Rejuvenate and ABG II Hip Implant Prods. Liab. Litig., No. 0:13-md-02441 (D. Minn.) – Plaintiffs’ Proposed Leadership Structure***

Dear Judge Frank:

I write on behalf of defendants Howmedica Osteonics Corp, Stryker Corporation, and Stryker Sales Corporation (HOC) regarding plaintiffs’ proposed leadership structure, which is filed at Doc. No. 62. As noted during the Initial Prehearing Conference, HOC is concerned that a multi-headed leadership structure will create confusion and duplication.

The Court and the parties have thus far utilized a single point of contact. Over several weeks and many meetings, counsel have worked to develop initial orders, coordinate discovery in the New Jersey State Court coordinated proceeding, and a proposed agenda for the IPC. This structure has clear lines of communication and accountability between the parties and with the Court. As a result, negotiations have progressed in a linear fashion.

A clear line of communication between the parties and with the Court going forward will lay further ground work for a productive working relationship. It will also facilitate a clear record of the parties’ positions when they are presented to the Court for decision. For the same reasons that this Court provides a single line of judicial communication in multi-district litigation, HOC respectfully requests that the parties do the same.

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Tim Griffin

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