

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

In re BIOMET M2A MANGUM HIP IMPLANT PRODUCTS LIABILITY LITIGATION	) ) ) ) )	CAUSE NO. 3:12-md-02391-RLM-CAN (MDL-2391) ----- THIS DOCUMENT RELATES TO: ALL CASES
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**JOINT STIPULATION TO STAY PROCEEDINGS PENDING REVISION SURGERY**

Plaintiffs and Defendants Biomet, Inc., Biomet Orthopedics, LLC, Biomet U.S. Reconstruction, LLC and Biomet Manufacturing, LLC (herein after collectively referred to as “Defendants”) by and through their respective Co-Lead counsel, hereby jointly stipulate to a stay of all above-captioned proceedings in this action pending a revision surgery to remove the alleged defective Biomet M2a Device or until such stay is lifted pursuant to Court Order. The parties further stipulate as follows:

1. Multidistrict litigation (“MDL”) No. 2391 was created on October 2, 2012, when all cases involving injury as a result of an allegedly defective Biomet M2a hip implant were transferred by the JPML to the Northern District of Indiana and assigned to this Court for coordinated or consolidated pretrial proceedings.

2. On December 5, 2012, the Court entered an Order Concerning Plaintiffs’ Counsel Organizational Structure whereby it appointed a Plaintiffs’ Steering Committee with Thomas Anapol and Mark Lanier as Co-Lead counsel of the Steering Committee.

3. The parties have identified 237 cases have been filed in the MDL where there appears no revision surgery has occurred to date. These cases are referred to as non-revision cases. See Exhibit A, List of Non-revision cases as of January 17, 2014.

4. In the interest of judicial economy, the parties believe it would be prudent to stay all above-captioned proceedings in this action and any future non-revision cases filed in the MDL, including all case specific deadlines and Plaintiff and Defendant Fact Sheets, until a revision occurs. Any and all case specific orders and deadlines ordered to date, and in the future in MDL No. 2391, will not apply to the cases designated as non-revision, including the deadlines set forth in the Case Management Order entered on February 15, 2013 (Doc. No. 242) pertaining to Fact Sheet deadlines.

5. All non-revision cases listed in Exhibit A shall be stayed upon the entry of this Order. Any non-revision cases that are filed after the date of this Order will be identified by Defendants. Defendants will notify by email, Plaintiff's counsel of record in that case, that the case appears to be a non-revision case. Unless Plaintiff's counsel provides proof that a revision has occurred within 10 business days, Defendants will move the Court to stay the action as a non-revision case in accordance with this Order.

6. The parties agree that in any case designated as non-revision, should a revision surgery occur, Plaintiffs agree to notify Defendants by email to Defendants' Lead Counsel within forty-five (45) days from the date the first revision surgery takes place. The parties further agree that a Plaintiff Fact Sheet (PFS) shall be due one-hundred and twenty (120) days from the date the first revision surgery takes place. Once a Plaintiff timely serves Defendants with a materially complete PFS, Plaintiffs shall move the Court to lift the stay in that particular case. If a Plaintiff fails to submit a timely and materially complete PFS, the Defendants may move for dismissal of the Plaintiff's claims as set forth in February 15, 2013 Case Management Order Section VII.D.6 (Doc. No. 242).

WHEREFORE, the parties hereby respectfully request that the Court stay all activity in the above-captioned cases pending the Plaintiffs undergoing a first revision surgery.

DATED: January 31, 2014

Respectfully submitted,

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Co-Lead Counsel for Plaintiffs

**EXHIBIT A**

<b>No.</b>	<b>Plaintiff</b>	<b>Index Number</b>
1.	Abraham, Reta	3:13-cv-00655-RLM-CAN
2.	Adler, Maria	3:13-cv-00783-RLM-CAN
3.	Afton, Gail	3:13-cv-00561-RLM-CAN
4.	Allen, Roy	3:13-cv-01316-RLM-CAN
5.	Anderson, George	3:13-cv-00522-RLM-CAN
6.	Anderson, Mary	3:13-cv-01009-RLM-CAN
7.	Babbitt, Linda	3:14-cv-00062-RLM-CAN
8.	Baccus, James Lee	3:12-cv-00661-RLM-CAN
9.	Barnes, Julie	3:13-cv-00727-RLM-CAN
10.	Battle, Jacqueline	3:13-cv-00125-RLM-CAN
11.	Beaton, Mary	3:13-cv-00743-RLM-CAN
12.	Bell, William	3:13-cv-00195-RLM-CAN
13.	Benner, Mark	3:13-cv-00987-RLM-CAN
14.	Bennett, Gainie	3:13-cv-00755-RLM-CAN
15.	Bennett, William	3:13-cv-00658-RLM-CAN
16.	Bianchi, Rinaldo	3:13-cv-00807-RLM-CAN
17.	Bishop, Donald	3:13-cv-01143-RLM-CAN
18.	Bollinger Robert	3:13-cv-00228-RLM-CAN
19.	Borman, Thomas	3:13-cv-01384-RLM-CAN
20.	Boyd, Cynthia Denise	3:13-cv-01288-RLM-CAN
21.	Branch, Tommy	3:13-cv-01282-RLM-CAN
22.	Brice, Christine	3:13-cv-00540-RLM-CAN
23.	Briggs, John	3:13-cv-01321-RLM-CAN
24.	Brooke, Tammy	3:13-cv-00447-RLM-CAN
25.	Brown, Theresa	3:12-cv-00696-RLM-CAN
26.	Brozek, Jozef	3:14-cv-00004-RLM-CAN
27.	Bryant, Crystal	3:13-cv-00467-RLM-CAN
28.	Bumgarner, Reggie	3:12-cv-00847-RLM-CAN
29.	Burns, Lee	3:13-cv-00524-RLM-CAN
30.	Carpenter, Robert	3:13-cv-00525-RLM-CAN
31.	Carroll, Ruby	3:13-cv-01312-RLM-CAN
32.	Carroll, Tony Wayne	3:13-cv-00726-RLM-CAN
33.	Caudill, Jane Alice	3:13-cv-01275-RLM-CAN
34.	Cavanaugh, Marie	3:13-cv-00158-RLM-CAN
35.	Chandler, John	3:12-cv-00672-RLM-CAN
36.	Chauncey, Michael	3:13-cv-00744-RLM-CAN
37.	Cherry, William	3:13-cv-00526-RLM-CAN
38.	Childress, Thomas	3:13-cv-00382-RLM-CAN
39.	Chislom, Lee	3:13-cv-00527-RLM-CAN
40.	Clark, Michael	3:13-cv-00656-RLM-CAN

41.	Clay, Raymond	3:13-cv-01264-RLM-CAN
42.	Cline, Calvin	3:13-cv-00541-RLM-CAN
43.	Cobbs, Hazel	3:13-cv-00424-RLM-CAN
44.	Coleman, Randy	3:13-cv-00423-RLM-CAN
45.	Colina, Enrique	3:13-cv-00729-RLM-CAN
46.	Comtois, Robert	3:13-cv-00349-RLM-CAN
47.	Conlon, Michael	3:13-cv-00790-RLM-CAN
48.	Corlette, Sharon	3:13-cv-01056-RLM-CAN
49.	Cotton, Jacqueline	3:13-cv-01263-RLM-CAN
50.	Couch, James	3:12-cv-00470-RLM-CAN
51.	Crawford, Kerry	3:13-cv-00996-RLM-CAN
52.	Currington, Thelma	3:13-cv-01284-RLM-CAN
53.	Cyr, Elizabeth	3:13-cv-00866-RLM-CAN
54.	Dailey, Wilma	3:13-cv-00920-RLM-CAN
55.	Davaul, Melissa	3:13-cv-00545-RLM-CAN
56.	Davis, Andrea	3:13-cv-00822-RLM-CAN
57.	Dawson, Thomas	3:13-cv-00201-RLM-CAN
58.	DeKruger, Sharon	3:13-cv-00799-RLM-CAN
59.	Dixon, Gary	3:13-cv-00919-RLM-CAN
60.	Dodd, Gary	3:13-cv-01233-RLM-CAN
61.	Donovan, Teresa	3:13-cv-01269-RLM-CAN
62.	Doyle, Carlton	3:13-cv-00945-RLM-CAN
63.	Dunn, Ralph	3:12-cv-00694-RLM-CAN
64.	Faison, Jeannette	3:13-cv-00529-RLM-CAN
65.	Farrell, David	3:13-cv-00343-RLM-CAN
66.	Farrell, Valerie	3:13-cv-00345-RLM-CAN
67.	Farrell, William	3:12-cv-00666-RLM-CAN
68.	Fenner, Scott	3:13-cv-01255-RLM-CAN
69.	Ferraro, Rodolfo	3:13-cv-00659-RLM-CAN
70.	Fields, Patrick	3:13-cv-00422-RLM-CAN
71.	Finerman, Gloria	3:13-cv-01299-RLM-CAN
72.	Fitch, Edward	3:13-cv-00867-RLM-CAN
73.	Flateau, Jean	3:13-cv-00883-RLM-CAN
74.	Forst, Walter	3:13-cv-01274-RLM-CAN
75.	Fox, Daniel	3:13-cv-00825-RLM-CAN
76.	Frasier, Linda	3:13-cv-00554-RLM-CAN
77.	Frazier, Barbara	3:13-cv-01355-RLM-CAN
78.	Frost, Charlene	3:13-cv-00448-RLM-CAN
79.	Gavin, Billie	3:13-cv-01027-RLM-CAN
80.	Gibson, Diane	3:13-cv-00854-RLM-CAN
81.	Gordon, Bruce	3:13-cv-01325-RLM-CAN

82.	Goswick, Betty	3:12-cv-00692-RLM-CAN
83.	Gower, Phillip Nelson	3:13-cv-01254-RLM-CAN
84.	Gragg, Diann	3:13-cv-00562-RLM-CAN
85.	Greene, Irene	3:13-cv-00441-RLM-CAN
86.	Grover, Jon	3:13-cv-01026-RLM-CAN
87.	Harper, Jack	3:13-cv-00949-RLM-CAN
88.	Harris, Jocelyn	3:13-cv-00450-RLM-CAN
89.	Harrison, Marlene	3:13-cv-01315-RLM-CAN
90.	Hathaway, Philip	3:12-cv-00707-RLM-CAN
91.	Heaps, Arnell	3:13-cv-00420-RLM-CAN
92.	Hearn, Waddel	3:12-cv-00635-RLM-CAN
93.	Hedrick, Renee	3:13-cv-01266-RLM-CAN
94.	Higbee, Susan	3:13-cv-00868-RLM-CAN
95.	Hodge, Sandra	3:13-cv-01309-RLM-CAN
96.	Hogan, John	3:13-cv-01142-RLM-CAN
97.	Hood, Eugene	3:13-cv-00421-RLM-CAN
98.	Hoover, Michael	3:13-cv-01028-RLM-CAN
99.	House, Sam	3:13-cv-00900-RLM-CAN
100.	Hudson, Kynan	3:13-cv-00537-RLM-CAN
101.	Hunt, Maxie	3:13-cv-00951-RLM-CAN
102.	Ingersoll, Penny	3:13-cv-00824-RLM-CAN
103.	Ireland, Rolland	3:13-cv-00665-RLM-CAN
104.	Jackson, Beverl	3:12-cv-00643-RLM-CAN
105.	Jackson, Timothy	3:13-cv-00869-RLM-CAN
106.	Jenkins, Michael	3:13-cv-00870-RLM-CAN
107.	Johnson, Gary	3:13-cv-00369-RLM-CAN
108.	Johnson, Joe	3:13-cv-01296-RLM-CAN
109.	Johnson, Maureen	2:13-cv-00198-SSV-KWR
110.	Jones, Cynthia	3:14-cv-00012-RLM-CAN
111.	Jones, Jacquelyn	3:13-cv-01008-RLM-CAN
112.	Keel, Mario	3:13-cv-00871-RLM-CAN
113.	Kirby, Gerald	3:13-cv-00096-RLM-CAN
114.	Kirk, Christina	3:13-cv-00452-RLM-CAN
115.	Klager, Gene	3:12-cv-00636-RLM-CAN
116.	Kline, Ricky	3:13-cv-00896-RLM-CAN
117.	Knight, Gail	3:13-cv-00756-RLM-CAN
118.	Korn, Richard	3:13-cv-01017-RLM-CAN
119.	Kylmanen, Marvin	3:13-cv-00654-RLM-CAN
120.	Lang, Dennis	3:13-cv-01172-RLM-CAN
121.	Langs, Benjamin	3:13-cv-01252-RLM-CAN
122.	Larivee, Arthur	3:12-cv-00639-RLM-CAN

123.	Laspina, Frank	3:13-cv-00130-RLM-CAN
124.	Law, Patsy Williams	3:13-cv-00248-RLM-CAN
125.	Lawson, David	3:13-cv-00995-RLM-CAN
126.	Lee, Brenda	3:13-cv-01306-RLM-CAN
127.	Lenoci, Daniel	3:13-cv-00932-RLM-CAN
128.	Lima, Kathleen	3:13-cv-00344-RLM-CAN
129.	Lindsey, Rosie	3:13-cv-00563-RLM-CAN
130.	Little, Irma Sharon	3:13-cv-01265-RLM-CAN
131.	Loucks, Russett	3:13-cv-01259-RLM-CAN
132.	Love, Albert	3:13-cv-00899-RLM-CAN
133.	Lucas, Damon	3:13-cv-00872-RLM-CAN
134.	Mallus, George	3:13-cv-00065-RLM-CAN
135.	Marcum, Jimmy	3:13-cv-00542-RLM-CAN
136.	Markowski, Mary	3:13-cv-00684-RLM-CAN
137.	Marra, Dennis	3:13-cv-00873-RLM-CAN
138.	Massingale, Joseph	3:13-cv-00564-RLM-CAN
139.	Mathes, Martin	3:13-cv-01393-RLM-CAN
140.	Mazur, Waclaw	3:13-cv-00874-RLM-CAN
141.	McGee, Larry	3:13-cv-00297-RLM-CAN
142.	McGovern, Kevin	3:13-cv-00229-RLM-CAN
143.	McKenzie, Steven	3:13-cv-00566-RLM-CAN
144.	McTague, Nicholas	3:13-cv-01200-RLM-CAN
145.	McWeeny, Sharon	3:13-cv-01258-RLM-CAN
146.	Mead, Richard	3:13-cv-01268-RLM-CAN
147.	Melton, Joni	3:13-cv-01298-RLM-CAN
148.	Mikolon, Brent	3:13-cv-01057-RLM-CAN
149.	Miller, Cecil	3:12-cv-00719-RLM-CAN
150.	Milo, Chester	3:13-cv-00157-RLM-CAN
151.	Moran, Howard	3:13-cv-01313-RLM-CAN
152.	Navarette, Ismael	3:13-cv-01305-RLM-CAN
153.	Nelson, Linda	3:13-cv-01130-RLM-CAN
154.	Norton, William	3:13-cv-00604-RLM-CAN
155.	O'Connor, Matthew	3:14-cv-00033-RLM-CAN
156.	Osborn, Nancy	3:13-cv-00263-RLM-CAN
157.	Owens, Antionette	3:12-cv-00267-RLM-CAN
158.	Parker, Larry Donnell	3:13-cv-01267-RLM-CAN
159.	Parkinson, Jason	3:13-cv-01273-RLM-CAN
160.	Parks, Cassandra	3:13-cv-00458-RLM-CAN
161.	Parks-Benjamin, Rosylon	3:13-cv-00567-RLM-CAN
162.	Parsons, Scott	3:13-cv-00149-RLM-CAN

163.	Patterson, Obie	3:13-cv-00268-RLM-CAN
164.	Peeples, Robert	3:13-cv-01006-RLM-CAN
165.	Peterson, Michael	3:13-cv-00213-RLM-CAN
166.	Pitts, Clifford	3:13-cv-01061-RLM-CAN
167.	Plane, Sylvia	3:13-cv-00666-RLM-CAN
168.	Prim, Dorothy	3:13-cv-01016-RLM-CAN
169.	Proffitt, Craig	3:13-cv-00728-RLM-CAN
170.	Provencal, Bonnie	3:14-cv-00061-RLM-CAN
171.	Pulley, Sandra	3:13-cv-00942-RLM-CAN
172.	Rael, Lilly	3:13-cv-01302-RLM-CAN
173.	Raley, Gail	3:13-cv-01310-RLM-CAN
174.	Ralls, Jarrod	3:13-cv-00946-RLM-CAN
175.	Randle, Lawrence	3:13-cv-00719-RLM-CAN
176.	Rannings, Marie	3:13-cv-00863-RLM-CAN
177.	Reddic, Earvie	3:13-cv-01353-RLM-CAN
178.	Reed, Marlene	3:13-cv-00675-RLM-CAN
179.	Reed, Marlene Duplicate	3:13-cv-01311-RLM-CAN
180.	Roberts, Larry	3:13-cv-00847-RLM-CAN
181.	Rollins, David	3:13-cv-00754-RLM-CAN
182.	Roman, Kathleen	3:13-cv-00568-RLM-CAN
183.	Rountree, Leonard Leon	3:13-cv-01295-RLM-CAN
184.	Salazar, Michele	3:13-cv-00270-RLM-CAN
185.	Sales, Charles	3:13-cv-00531-RLM-CAN
186.	Scott, Crystal	3:13-cv-00738-RLM-CAN
187.	Seeley, Irving	3:13-cv-00271-RLM-CAN
188.	Sellers, David	3:13-cv-01300-RLM-CAN
189.	Severin, Michael	3:13-cv-01294-RLM-CAN
190.	Shadwick, Kathy	3:13-cv-01413-RLM-CAN
191.	Shepherd, Edward	3:14-cv-00019-RLM-CAN
192.	Simms, Anthony	3:13-cv-00876-RLM-CAN
193.	Smith, Brandon	3:13-cv-00877-RLM-CAN
194.	Smith, Gregory	3:13-cv-00605-RLM-CAN
195.	Smith, Rex	3:12-cv-00670-RLM-CAN
196.	Smith, Willie James	3:13-cv-01286-RLM-CAN
197.	Soltas, Richard	3:13-cv-00757-RLM-CAN
198.	Southerland, David	3:13-cv-00808-RLM-CAN
199.	Spratt, Joyce	3:13-cv-00272-RLM-CAN
200.	Stafford, Alfred	3:13-cv-00222-RLM-CAN
201.	Stallings, Terri	3:14-cv-00006-RLM-CAN
202.	Taylor, Christopher	3:13-cv-01007-RLM-CAN



203.	Terry, James	3:13-cv-00569-RLM-CAN
204.	Thomas, Linda	3:13-cv-00273-RLM-CAN
205.	Tickle, Alden	3:13-cv-00998-RLM-CAN
206.	Treat, Michael	3:13-cv-00864-RLM-CAN
207.	Tucker, Lawrence Joseph	3:13-cv-01271-RLM-CAN
208.	Tucker, Rita	3:13-cv-00146-RLM-CAN
209.	Turner, Barbara	3:13-cv-00464-RLM-CAN
210.	Turner, Lana	3:12-cv-00569-RLM-CAN
211.	Tyson, Allen	3:13-cv-01270-RLM-CAN
212.	Tyson, Morris	3:13-cv-01163-RLM-CAN
213.	Vadden, Paul	3:13-cv-00823-RLM-CAN
214.	Van Scyoc, Carlos	3:13-cv-00249-RLM-CAN
215.	Vance, Michael	3:13-cv-00570-RLM-CAN
216.	Vincent, Pamela	3:13-cv-00878-RLM-CAN
217.	Vinton, Rick	3:13-cv-01318-RLM-CAN
218.	Virgil, June	3:13-cv-00791-RLM-CAN
219.	Walker, Kristi	3:13-cv-01147-RLM-CAN
220.	Waller, Charles	3:13-cv-00985-RLM-CAN
221.	Waters, Charles	3:13-cv-00159-RLM-CAN
222.	Watson, Pamela	3:13-cv-01317-RLM-CAN
223.	Webster, Stanley	3:12-cv-00716-RLM-CAN
224.	Welter, Delores	3:13-cv-01144-RLM-CAN
225.	Westmoreland, David	3:13-cv-01290-RLM-CAN
226.	White, Freddie	3:13-cv-01292-RLM-CAN
227.	White, Roger	3:13-cv-01004-RLM-CAN
228.	Williams, Billy	3:13-cv-00392-RLM-CAN
229.	Williams, Danny Ray	3:13-cv-01141-RLM-CAN
230.	Williams, Larry	3:13-cv-01372-RLM-CAN
231.	Williams, Milton	3:12-cv-00858-RLM-CAN
232.	Windham, Jeweline	3:13-cv-00375-RLM-CAN
233.	Woodruff, Catherine	3:13-cv-01301-RLM-CAN
234.	Wright, Kenneth	3:13-cv-00606-RLM-CAN
235.	York, Sharlene	3:13-cv-01261-RLM-CAN
236.	Zablonski, Richard	3:13-cv-01303-RLM-CAN
237.	Ziesch, Leo	3:13-cv-00657-RLM-CAN