

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: ZIMMER NEXGEN KNEE)
IMPLANT PRODUCTS LIABILITY) MDL NO. 2272
LITIGATION)
)
This Document Relates to All Cases) Master Docket Case No. 1:11-cv-05468
)
) Honorable Rebecca Pallmeyer

JOINT STATE COURT LITIGATION UPDATE
PER CASE MANAGEMENT ORDER NO. 5

In furtherance of the agreed case management plan regarding cooperation with other litigation set forth in Case Management Order No. 5 (“CMO 5”), attached as Exhibit A is a list of product liability actions involving the same Zimmer products at issue in this litigation¹ that have been filed since CMO 5 was entered on August 29, 2012. The parties request that the Court send the letter attached as Exhibit B to the state courts in which these cases are pending.

Respectfully submitted,

Dated: March 10, 2014

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¹ NexGen Flex Femoral Components and 5950 MIS Stemmed Tibia Component, as defined by the Panel’s August 8, 2011 Transfer Order.

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CERTIFICATE OF SERVICE

I certify that on March 10, 2014, a copy of the foregoing Joint State Court Litigation Update Per Case Management Order No. 5 was filed electronically. Parties may access this filing through the Court's system.

/s/ Andrea Roberts Pierson

ZIMMER NEXGEN MDL

STATE CASES

August 29, 2012 through Present

CASE NAME	CASE JURISDICTION	PLAINTIFF'S COUNSEL
<p>Tandy Branham and Vickie Branham v. Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43D01-1309-CT-50</p>	<p>Kosciusko Superior Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Jeffrey S. Gibson COHEN & MALAD, LLP One Indiana Square, Ste. 1400 Indianapolis, IN 46204</p> <p>James Onder Michael S. Kruse ONDER, SHELTON, O'LEARY & PETERSON, LLC 110 E. Lockwood, 2nd Floor St. Louis, MO 63119</p>
<p>Michael J. Casini v. Zimmer, Inc., Zimmer Holdings, Inc., Wilson/Phillips Holdings, Inc., a/k/a Zimmer Wilson Phillips, and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43C01-1311-CT-60</p>	<p>Kosciusko Circuit Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Richard W. Morgan PFEIFER MORGAN & STESIAK 53600 North Ironwood Dr. South Bend, IN 46635</p>

<p>Clarissa Harrison v. Zimmer, Inc., Zimmer Holdings, Inc., and Zimmer Mid-Atlantic, Inc.</p> <p>Cause No. N13C-08-281 CEB</p>	<p>New Castle County Superior Court State of Delaware</p> <p>New Castle County Courthouse 500 N. King Street Wilmington, DE 19801</p>	<p>Joseph J. Rhoades Stephen T. Morrow Law Offices of Joseph J. Rhoades 1225 King Street, Suite 1200 Wilmington, DE 19801</p>
<p>Sue A. Keller v. Zimmer, Inc., Zimmer Holdings, Inc.; and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43C01-1210-CT-100</p>	<p>Kosciusko Circuit Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Robert T. Dassow Hovde Dassow & Deets, LLC 201 West 103rd Street – Suite 500 Indianapolis, Indiana 46290</p> <p>Paul R. Cordella The Lanier Law Firm, PLLC 126 East 56th Street New York, New York 10022</p>
<p>Calvin Marble v. Zimmer, Inc., Zimmer Holdings, Inc.; and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43C01-1212-CT-109</p>	<p>Kosciusko Circuit Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Robert T. Dassow Hovde Dassow & Deets, LLC 201 West 103rd Street – Suite 500 Indianapolis, Indiana 46290</p> <p>Paul R. Cordella The Lanier Law Firm, PLLC 126 East 56th Street New York, New York 10022</p>

<p>John Quinn v. Zimmer, Inc., Zimmer Holdings, Inc., Douglas M. Petraco, M.D., Douglas M. Petraco, M.D., P.C., Orthopedic Associates of Long Island, LLP and St. Charles Hospital.</p> <p>Index No. 063388/2013</p>	<p>Supreme Court of the State of New York County of Suffolk</p> <p>New York State Unified Court System Office of Court Administration, Rm. 852 25 Beaver Street New York, NY 10004</p>	<p>Joseph G. Dell DELL & DEAN, PLLC 1325 Franklin Avenue, Ste. 100 Garden City, NY 11530</p>
<p>Ledora Rogers v. Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 49D06-1309-CT-34885</p>	<p>Marion County Superior Court State of Indiana</p> <p>Marion County Courthouse City-County Building 200 East Washington St. Indianapolis, IN 46204</p>	<p>William N. Riley Jamie R. Kendall PRICE WAICHUKAUSKI & RILEY, LLC Hammond Block Building 301 Massachusetts Ave. Indianapolis, IN 46204</p> <p>Tim K. Goss FREESE & GOSS, PLLC 1520 North State Street Jackson, MS 39202</p> <p>David P. Matthews MATTHEWS & ASSOCIATES 2905 Sackett Street Houston, TX 77098</p>

<p>Patsy Short and Robert H. Short v. Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Case No. N12C-08-250 PLA</p>	<p>Superior Court New Castle County State of Delaware</p> <p>New Castle County Courthouse 500 North King Street, Suite 10400 Wilmington, DE 19801-3733</p>	<p>Kara A. Hager NAPOLI BERN RIPKA SHKOLNIK & ASSOCIATES LLP 1000 N. West St., Ste. 1244 Wilmington, DE 19801</p>
<p>Dorothy M. Simpson-Taylor v. Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 49D14-1304-CT-013631</p>	<p>Marion County Superior Court State of Indiana</p> <p>Marion County Courthouse City-County Building 200 East Washington St. Indianapolis, IN 46204</p>	<p>Mark C. Ladendorf Timothy F. Devereux LADENDORF & LADENDORF 7310 North Shadeland Ave. Indianapolis, IN 46250</p>
<p>Randy Wheatley v. Zimmer, Inc., Zimmer Holdings, Inc., Zimmer Tri-State d/b/a Tri-state Orthopedic, Zimmer Tri-State d/b/a Zimmer, Inc., Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43C01-1306-PL-57</p>	<p>Kosciusko Circuit Court Kosciusko County State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Alyson Oliver OLIVER LAW GROUP PC 950 W. University Dr., Ste. 200 Rochester, MI 48037</p> <p>Adam D. Turner Turner Valentine LLP 121 W. Market Street, Suite C PO Box 857 Warsaw, IN 46581</p>

<p>Sherry Wiesman v. Arnold J. Herbstman, M.D., Zimmer, Inc., Zimmer Holdings, Inc., Zimmer Orthopaedic Surgical Products, Inc., Zimmer Production, Inc. and Wilson/Phillips Holdings, Inc. a/k/a Zimmer Wilson Phillips.</p> <p>Case No. 12 L 354</p>	<p>Kane County Circuit Court State of Illinois</p> <p>Kane County Courthouse PO Box 112 Geneva, IL 60134</p>	<p>Darcy L. Proctor ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER, P.C. 140 South Dearborn Street, Sixth Floor Chicago, IL 60603</p>
<p>Russell Wiley v. Robert M. O'Hollaren, M.D., Community Memorial Hospital, Ventura Orthopedics, Zimmer, Inc., Zimmer Holdings, Inc., Wilson/Phillips Holdings, Inc. a/k/a Zimmer Wilson Phillips, Zimmer Orthopaedic Surgical Products</p> <p>Case No. 56-2013-00437676-CU-MMVT</p>	<p>Ventura Superior Court State of California Ventura County</p> <p>Ventura County Superior Court 800 South Victoria Avenue Ventura, CA 93009</p>	<p>Andrew Vasserman VASSERMAN & ASSOCIATES, LLP 14555 Keswick Street Van Nuys, CA 91405</p>

<p>Rhonda Williams v. Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43D01-1209-CT-86</p>	<p>Kosciusko Superior Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Peter J. Flowers Meyers & Flowers, LLC 3 North Second Street, Suite 300 St. Charles, IL 60174</p> <p>Gregory L. Laker TaKeena M. Thompson COHEN & MALAD, LLP One Indiana Square, Suite 1400 Indianapolis, IN 46204</p> <p>Douglas Monsour 404 N. Green Street PO Drawer 4209 Longview, TX 75601</p> <p>Joseph A. Osborne Babbitt, Johnson, Osborne & Le Clainche, P.A. 1641 Worthington Road, Suite 100 West Palm Beach, FL 33409</p> <p>Neil D. Overholtz Aylstock, Witkin, Kreis & Overholtz, PLC 17 East Main Street, Suite 200 Pensacola, FL 32502</p>
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<p>Willmar Williams v. Zimmer, Inc., Zimmer Holdings, Inc. and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43C01-1302-CT-14</p>	<p>Kosciusko Circuit Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Daniel C. Burke Parker Waichman LLP 6 Harbor Park Drive Port Washington, NY 11050</p> <p>Robert T. Dassow Hovde Dassow & Deets, LLC 201 West 103rd Street, Suite 500 Indianapolis, IN 46290</p>
<p>Dewayne Willis v. Zimmer, Inc., Zimmer Holdings, Inc.; and Zimmer Orthopaedic Surgical Products, Inc.</p> <p>Cause No. 43C01-1307-CT-43</p>	<p>Kosciusko Circuit Court State of Indiana</p> <p>Kosciusko County Courthouse 121 N. Lake Street Warsaw, IN 46580</p>	<p>Daniel C. Burke Parker Waichman LLP 6 Harbor Park Drive Port Washington, NY 11050</p> <p>Robert T. Dassow Hovde Dassow & Deets, LLC 201 West 103rd Street, Suite 500 Indianapolis, IN 46290</p>

Dear Judge [Judge's name]

As you may be aware, there is multidistrict litigation pending before my court, *In Re: Zimmer NexGen Knee Implant Products Liability*, MDL No. 2272 (the "MDL"). It is my understanding that this litigation involves the same Zimmer products that are at issue in matters before your court. I want to take this opportunity to introduce myself and begin what I hope will be a relationship of coordination between our courts. I believe such a relationship will benefit both your court and mine, and create efficiencies for all parties as these cases proceed.

I will ask the parties to notify you when deadlines are set in the MDL. I encourage your court to consider adopting similar deadlines so that we may more easily and efficiently work together to handle any common disputes or issues that arise in these cases.

If you have any suggestion as to how your court and mine can assist each other regarding this litigation, I would be happy to hear from you. You would be welcome to attend any hearings in my court. If you think that I should attend any hearings in your court, please let me know.

If there is anything else we can do to assist each other and counsel, by telephone conference or by any other means, please let me know.

Respectfully,

Judge Rebecca R. Pallmeyer

EXHIBIT B