

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK DIVISION**

<p>IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION (NO. II)</p> <p>This Document Relates to: ALL ACTIONS</p>	<p>17-md-2789 (CCC)(MF) (MDL 2789)</p> <p style="text-align: center;">SEPTEMBER 12, 2017 INITIAL STATUS CONFERENCE JOINT STATUS REPORT AND PROPOSED AGENDA</p>
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Pursuant to the Court's August 15, 2017 Initial Case Management Order (Dkt. No. 3), the parties hereby submit their Joint Status Report and Proposed Agenda in advance of the September 12, 2017 MDL Initial Status Conference.

I. PARTIES AND LIST OF RELATED ACTIONS

At the time of this filing, 227 potentially related actions with 237 plaintiffs are pending in federal court. The parties attach a list of these cases and their current status, including any discovery completed to date, as Exhibit A.

Currently, 132 potentially related actions with 162 plaintiffs are pending in state court. There are 130 related actions with 130 plaintiffs pending in the Delaware Superior Court, New Castle County, before Judge John A. Parkins, Jr., one related state court action with 28 plaintiffs pending in the Missouri Circuit Court, Twenty-Second Judicial Circuit (City of St. Louis) before Judge Michael K. Mullen, and one related state court action with 4 plaintiffs pending in the Illinois Circuit Court, Twentieth Judicial Circuit (St. Clair County, Illinois) before Judge Vincent Lopinot. The parties attach as Exhibit B a list of the potentially related state court actions and their current status, including any discovery completed to date.

Finally, there is a single plaintiff appellate case pending before the Ninth Circuit Court of Appeals. (*Bekins v. AstraZeneca Pharmaceuticals LP, et al.*, No.16-02732 (S.D. Cal. Mar. 7, 2017), *appeal docketed*, No. 17-55461 (9th Cir. Apr. 5, 2017). See Exhibit C.

II. PLAINTIFF AND DEFENDANT STATEMENTS REGARDING THE PARTIES' PRELIMINARY UNDERSTANDING OF THE CRITICAL FACTUAL AND LEGAL ISSUES

Plaintiffs and Defendants are simultaneously submitting their Statements separately to the Court for *in camera* review.

III. PROPOSED AGENDA FOR 9/12/17 STATUS CONFERENCE

Since the last conference, counsel for Defendants and Plaintiffs have met amongst themselves and with opposing counsel, and conferred regarding numerous issues. While the parties have agreed upon a proposed Protective Order (annexed hereto as Exhibit D), the Court's guidance is needed to help resolve other issues, including those set forth in Your Honor's Initial Case Management Order, and the parties propose the following Agenda:

- Entry of the Proposed Protective Order;
- Issues Relating to the Proposed Electronically Stored Information ("ESI") Order;
- Privilege Log Order;
- Status Of Discovery;
- Status of Plaintiff and Defendant Fact Sheets,;
- Defendants' Pending Motions to Dismiss;
- Direct Filing Order;
- Suggested Schedule for Proceedings;
- Delaware State Court Litigation;

- Science Day; and
- Scheduling of Periodic Status Conferences

IV. SERVICE LIST

Pursuant to the Court's August 15, 2017 Initial Case Management Order, Dkt. No. 3 at 5, Plaintiffs' Lead Counsel has attached hereto as Exhibit E, a list of all counsel of record and their office addresses, phone and fax numbers, and e-mail addresses.

Dated: September 8, 2017

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