

January 9, 2018

VIA ECF

Hon. Claire C. Cecchi, U.S.D.J.
United States District Court for the District of New Jersey
Martin Luther King, Jr. Bldg. & U.S. Courthouse
Courtroom MLK 5B
50 Walnut Street
Newark, New Jersey 07101

Gregory J. Hindy
Partner
T. 973-639-6954
F. 973-297-3883
ghindy@mccarter.com

**Re: Proton-Pump Inhibitor Products Liability Litigation (No. II)
2:17-md-2789 (CCC)(MF) (MDL 2789)
Defendants' Proposal Regarding Case Management Order No. ____
(Plaintiff Fact Sheet, Product Identification Records, and Qualifying Injury
Records)**

Dear Judge Cecchi:

McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
T. 973.622.4444
F. 973.624.7070
www.mccarter.com

I write on behalf of all parties. We are pleased to report to the Court that the parties have made substantial progress regarding various foundational orders. The parties have agreed to a Direct Filing Order to be submitted to the Court before the status conference on Friday, January 12, 2018.

In addition, the parties are further pleased to inform the Court that they have made substantial progress on both the Plaintiff Fact Sheet ("PFS") and the PFS enabling order and are sufficiently close to reaching agreement on both that they have agreed not to submit briefing on the orders to the Court today. Rather, the parties request that they be permitted to continue to negotiate the final details of the PFS and PFS enabling order before the status conference and report to the Court on the status of those negotiations at that time. Although we hope that it is not the case, if there are any final issues on which the parties do not reach agreement with respect to the PFS and PFS enabling order, they will be prepared to raise those issues and seek the Court's guidance at the status conference. We remain hopeful, however, that with the additional time between today and Friday, we will be able to present the Court with an agreed-upon enabling order and PFS at (or very shortly after) the conference, together with the Direct Filing Order.

Respectfully submitted,

Gregory J. Hindy

cc: All Counsel of Record (via ECF)

BOSTON
HARTFORD
STAMFORD
NEW YORK
NEWARK
EAST BRUNSWICK
PHILADELPHIA
WILMINGTON
WASHINGTON, DC