

**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>2:17-md-2789 (CCC)(MF) (MDL 2789)</p> <p>MAY 1, 2018 STATUS CONFERENCE JOINT STATUS REPORT AND PROPOSED AGENDA</p>
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Pursuant to Case Management Order No. 12 (Dkt. No. 194), the parties hereby submit their Joint Status Report and Proposed Agenda in advance of the May 1, 2018 MDL Initial Status Conference.

I. STATUS REPORT

Since the last status conference, the parties have submitted the parties' proposed Case Management Order No. 12 (Order on April 10, 2018 Status Conference). Pursuant to CMO No. 12, the parties have conferred on a tolling agreement and are diligently working towards being able to provide the Court with a proposed agreement at the next conference. Additionally, the parties have continued to confer on the Science Day CMO, search terms, a Defense Fact Sheet, 30(b)(6) Depositions, the supplementation of Regulatory File productions, and a Scheduling Order. The parties will be prepared to discuss the status of these discussions at the next conference. With respect to the Scheduling Order, the parties have made separate submissions to the Court explaining their respective positions.

At the time of this filing, approximately 4,192 potentially related actions with 4,710 plaintiffs are pending in federal court.

Currently, approximately 90 potentially related state court actions with 90 plaintiffs are pending in the Delaware Superior Court, New Castle County, before Judge John A. Parkins, and

one related state court action with 3 plaintiffs is pending in the Missouri Circuit Court, Twenty-Second Judicial Circuit (City of St. Louis) before Judge Michael K. Mullen. 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)).

There are approximately 41 new potentially related state court cases involving approximately 145 plaintiffs filed in the last several weeks, which include:

California:

Los Angeles County – 1 case with 1 plaintiff

Orange County – 1 case with 1 plaintiff

San Diego County – 1 case with 13 plaintiffs

Illinois:

Cook County – 1 case with 65 plaintiffs

St. Clair County – 1 case with 29 plaintiffs

New Jersey:

Bergen County – 30 cases each with 1 plaintiff

Camden County – 1 case with 1 plaintiff

Ohio:

Clinton County – 1 case with 1 plaintiff

Franklin County – 1 case with 1 plaintiff

Pennsylvania:

Philadelphia County – 3 cases each with 1 plaintiff

II. PROPOSED AGENDA FOR 05/01/18 STATUS CONFERENCE

The Parties have met and conferred and propose the following Agenda:

- Science Day CMO;
- Update on Tolling Agreement;

- Scheduling Order;
- Defendants' proposed limits on discovery;
- Update on search term negotiations;
- Update on the Defendant Fact Sheets;
- Status of scheduling for 30(b)(6) depositions;
- Update on Plaintiffs' request for supplementation of Regulatory files;
- Update on document productions and Plaintiffs' request for a document production schedule;
- Waiver of service;
- Newly-named Abbott Defendant and status of appearance of counsel; and
- Appointment of *pro se* liaison counsel.

III. TELEPHONIC MONITORING OF THE CASE MANAGEMENT CONFERENCE

As instructed by the Court, counsel has arranged for a telephonic conference line so interested attorneys can monitor the proceedings. Dial-in information is as follows:

Dial In: 800-747-5150

Access Code: 4740213

Chairperson Code: 2170 (To be utilized by the Court only)

Note that the status conference is scheduled to begin at 11 a.m. eastern.

Dated: April 27, 2018