

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
CATHERINE C. BLAKE
CHIEF JUDGE

U.S. COURTHOUSE
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June 1, 2017

MEMORANDUM TO COUNSEL RE:

*In re: Smith & Nephew Birmingham Hip Resurfacing (BHR) Hip Implant
Products Liability Litigation, MDL 17-md-2775*

Dear Counsel:

This will confirm the results of our status conference last week. The next status conference is scheduled for **June 28, 2017**, beginning at **10:30 a.m.** in Courtroom 7D. We are reserving the fourth Wednesdays of every month for a status conference, if needed, ordinarily beginning at 10:30 a.m. if it is an in-person conference, or at 4:00 p.m. if it will be held by telephone.

Not all counsel need be present for the status conferences, although ordinarily lead and liaison/local counsel will be expected to participate. Arrangements can be made for other counsel to listen by telephone to the status conferences even when they are held in the courtroom. I ask liaison/local counsel Mr. Jenner and Ms. Reiskin to take the lead in coordinating the logistics of the status conferences with the court and other counsel.

Prior to the June 28, 2017, conference there are various filing to be made. By **June 9, 2017**, the following will be submitted:

- a. the plaintiffs' proposed case management order addressing counsels' specific roles, fee and compensation structure, recordkeeping, and any need for a common benefit fund;
- b. educational literature regarding the issue of metal-on-metal hip replacements (without prejudice to either side's position in this case);
- c. a draft protective order;
- d. any additional specific proposal the plaintiffs would like to advance in support of a Master Amended Consolidated Complaint followed by briefing of motions to dismiss;
- e. any additional specific proposal Smith & Nephew would like to make for briefing of motions to dismiss without a Master Amended Consolidated Complaint.

Finally, in preparation for the June 28, 2017, conference, a joint proposed agenda is due **June 23, 2017**. The progress of discussions about exchanging “fact sheets” for the individual plaintiffs and for Smith & Nephew, and about a possible structure for mediation if and when that becomes appropriate, should be among the items on the agenda.

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely yours,

/S/

Catherine C. Blake
Chief Judge