

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: STRYKER LFIT V40 FEMORAL HEAD \*  
PRODUCTS LIABILITY LITIGATION \*

MDL No. 17-md-2768-IT

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This Document Relates To: \*

All Cases \*

MDL Order No. 5  
(Initial Status Conference)

April 21, 2017

TALWANI, D.J.

1. The clerk shall set an initial status conference for May 16, 2017, at 3:00 PM.
2. In advance of the initial status conference, counsel in each of the coordinated actions shall file a status report identifying any pending motions, including motions to remand or dismiss, and identifying the state or states whose laws may govern the action in whole or part.
3. The court anticipates the agenda for the initial status conference to include:
  - a. Discussion of a leadership structure for the plaintiffs to promote the effective management of the litigation. Counsel shall be prepared to identify case-specific issues that may inform the appropriate structure.
  - b. Discussion of potential objectives for the MDL proceeding, including: the elimination of duplicative discovery; avoiding conflicting rulings and schedules among courts; reducing litigation costs; saving the time and effort of the parties, attorneys, witnesses, and courts; streamlining key issues; and moving cases toward resolution (by trial, motion practice, or settlement). Counsel shall be

prepared to identify any other or different objectives, and to discuss priorities for these objectives for the court's formulation of a management plan.

c. Scheduling of monthly status conferences.

d. Other matters that counsel seek to have addressed in advance of the court's appointment of a leadership team for the plaintiffs. Counsel seeking to raise such additional matters should file a notice setting forth such matters on the MDL docket by the close of business on May 12, 2017.

4. Counsel who intend to seek a leadership position shall attend the initial status conference in person. Counsel not seeking leadership positions may attend in person or by telephone. A separate order will govern the attendance and participation of counsel by telephone. Attendance by each party or attorney is not required and parties with similar interests may be represented at the conference by a single attorney.

5. All counsel who intend to attend (in person or by telephone) shall file a Notice of MDL Appearance as directed in MDL Order No. 3 [#5] in advance of the initial status conference.

IT IS SO ORDERED.

Date: April 21, 2017

/s/ Indira Talwani  
United States District Judge