

**United States District Court
District of Rhode Island**

**In Re: Kugel Mesh Hernia Products Liability Litigation
Multidistrict Litigation (MDL 1842)**

MDL DOCKET NO. 07-1842-ML
All Cases

The monthly status conference was held on September 9, 2009. The conference was transcribed. The Court met with counsel and discussed the items listed on the agenda (DKT #2106). Defense Counsel Brown participated via telephone.

Discovery and Status Report for Bellwether Trials

The parties reported that discovery is moving along and that they are on track for the intended trial date. Plaintiffs' have completed eight full liability depositions to date and have three depositions scheduled for the next two weeks. Plaintiffs' counsel advised that there are roughly fourteen more depositions that the parties will schedule in the near future.

Plaintiffs' counsel reported that there are eleven databases, turned over to them by prior defense counsel, that are not in a "readable" form. Plaintiffs' counsel is working with the vendor to identify a way to get access to the information. Parties will discuss the matter. The Court reminded the parties that Magistrate Judge Almond is available for any discovery issues that arise.

Plaintiffs' counsel reported that the parties are close to a resolution of the terms of the settlement release in the Swallow case.

Pending Motions

The Court issued the proposed orders in the Collins, Philburn and Holley cases. The Court inquired about a pending motion, filed in the transferor Court, in the Bourbeau case. The Court informed the parties that it would terminate the motion in light of the case management order.

Plaintiffs' counsel inquired about the motion for assessment order. The Court informed the parties that the papers relating to the motion had recently been forwarded to chambers and once the Court has an opportunity to review the papers, the Court will notify the parties as to whether an oral argument will be scheduled.

Next Meeting

The next meeting of the Court, Plaintiffs' liaison counsel, and Defendants' counsel will be on October 6, 2009, at 1:00 p.m. in Room 307. Counsel shall submit proposed agenda items by the close of business on September 29, 2009.