

**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

An open session conference was held on September 12, 2013. The conference was transcribed. The Court and counsel discussed the items listed on the agenda (docket # 4281). There were several attorneys in attendance. Approximately 55 parties also listened by teleconference.

1. Status of the parties' efforts to resolve MDL cases

2. Status of MDL mediations and settlement conferences

3. Status of efforts to identify firms that have not engaged in the settlement process

The intensive settlement/mediation process instituted to aid in resolution of cases continues to operate effectively. 207 cases have been resolved; only two cases that have gone through the settlement/mediation process have not been resolved. Defense counsel anticipates scheduling two sets of conference dates for October. The process will now concentrate on those firms with one or two cases. There are approximately 200 cases in this category and Defense counsel has received settlement demands in approximately 140 of those cases. Defense counsel will contact counsel on the remaining approximately 60 cases and request that they participate in the process. Defense counsel will report back to the Court with a list of those firms that do not respond to the request. Defense counsel requested that the intensive settlement/mediation process be extended four months. Plaintiffs' liaison counsel agreed to a four-month extension. The Court will enter an order extending the process from November 1, 2013, through February 28, 2014.

4. Status of MDL trial settings

There are no trials scheduled in the District of Rhode Island or the Rhode Island Superior Court for the remainder of 2013.

5. Status of motions to remand

Remand is a last resort. The Court has stated that, after completion of the intensive settlement process, the Court will entertain motions to remand. Those motions, however, must chronicle the good faith efforts that have been made by both sides at trying to resolve the case. As of September 12, 2013, as a result of the success of the intensive settlement/medication process, the Court has received only one motion to remand and the motion is scheduled for a hearing on September 13, 2013.

6. Open issues

Plaintiff's counsel should contact Donald Migliori or Leah Donaldson at Motley Rice in order to aid in the scheduling of, and preparation for, a settlement conference.