

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 OCT 10 AM 10:10
LORETTA G. WHYTE
CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: PROPULSID : MDL NO. 1355
PRODUCTS LIABILITY LITIGATION :
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SECTION: L
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THIS DOCUMENT RELATES TO ALL CASES : JUDGE FALLON
MAG. WELLS ROBY

**JOINT REPORT NO. 50 OF
PLAINTIFFS' AND DEFENDANTS' LIAISON COUNSEL**

Plaintiffs' Liaison Counsel (PLC) and Defendants' Liaison Counsel (DLC) jointly submit this Joint Report No. 50 in preparation of the October 11, 2006 Monthly Status Conference, which will be held telephonically by the Court at 1:30 p.m CST. Dial-in information may be accessed on the Court's website at <http://propulsid.laed.uscourts.gov/>.

I. State Liaison Counsel/MDL Resolution Program II

The State Liaison Committee continues to communicate with the DLC and PLC regarding the status of the State Settlement Program that was presented to the Court at the December 15, 2005 Monthly Status Conference. The Term Sheet and related enrollment and claim forms are accessible on the Court's website located at <http://propulsid.laed.uscourts.gov>. The September 15, 2006 enrollment period has been extended and the parties are endeavoring to

___ Fee _____
___ Process _____
 Dktd _____
___ CtRmDep _____
___ Doc. No _____

bring enrollment to a close so that the State Settlement Program can be put into effect. The parties will be prepared to report on the status of enrollment in the second resolution program.

II. Trust Account

There have been no deposits into the Trust Account since the last Monthly Status Conference.

III. Trial Schedule

The matter of *Gregory A. Gellner v. Johnson & Johnson, et al.* has been adjourned. No new date has been set.

IV. MDL Mediation and Resolution Program

The deadline for enrollment and the submission of Claim Forms for the First MDL Resolution Program has expired. The Special Master reports that there are over 20,000 claimants who enrolled, but did not submit claim forms. The DLC has advised that it will seek dismissal of claimants (except those granted extensions of time) and is discussing this issue further with the PSC.

The Special Master's office continues to review Claims Forms to determine if the Forms meet the qualifying criteria set forth in the Term Sheet, and when necessary, the Special Master communicates with claimants' attorneys to process the submissions and to identify any deficiencies. Once the deficiencies are corrected, those claims will be in a posture to be processed through the claims system.

Thus far, the Special Master has submitted 64 claims to the Medical Panel for review, 6 of which have been qualified under the Term Sheet by the Medical Panel as qualifying for compensation consideration by the Special Master and the Special Master has made those awards (2 are under review.) The Special Master advises that additional claims are in the queue for

submission and will routinely prepare a report regarding the status of claims to be submitted to the Medical Panel for review. The Special Master will report to the Court at the October 10, 2006 Monthly Status Conference regarding the current status of claim administration.

Defendants continue to submit a list of plaintiffs/claimants whose records have already been obtained by defendants in whole or in part, so when necessary, the parties, the Special Master and the attorneys for these plaintiffs/claimants can expedite the submission and review of the Claim Forms for these individuals.

The weekly telephone conference with the Special Master, PLC, DLC and SLC continues to take place to discuss a number of administrative issues germane to the Resolution Program.

The parties will be prepared to discuss these issues further at the October 11, 2006 Monthly Status Conference.

V. Pro se Plaintiffs

The defendants have prepared and will be submitting a Motion for an Order to Show Cause regarding the pro se plaintiffs. Once the Order is signed, curator, Robert Johnston, will provide notice of the signed Order to the pro se plaintiffs. In addition, the Court will post on the Order on its website. The parties will be prepared to report to the Court on this issue at the October 11, 2006 Monthly Status Conference.

VI. Emergency Motion for Distribution of Attorney's Fees

On November 23, 2005, the Court issued an Order and Reasons regarding the Emergency Motion for Distribution of Attorney's Fees with full reservation of rights to all attorneys who may claim any right to common fees and expense reimbursement. On December 5, 2005, Daniel E. Becnel filed a Motion to Reconsider the Motion. The September 27, 2006 hearing on said Motion has been continued.

On March 2, 2006 Dumas & Associates Law Corporation filed a Motion for Common Benefit Fees and Expenses Reimbursements. On April 4, 2006, the PLC filed a response to the motion. The parties will be prepared to discuss this at the October 11, 2006 Monthly Status Conference.

Respectfully submitted,



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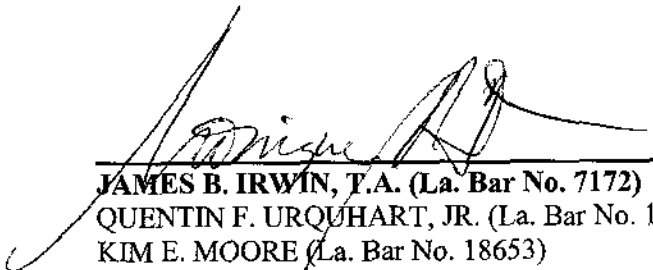
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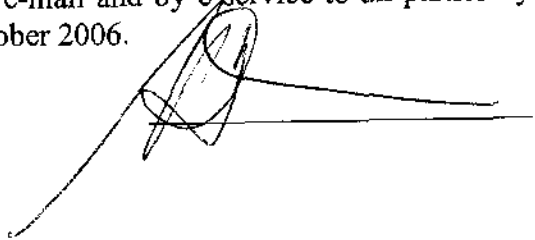
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Joint Report No. 50 of Plaintiffs' and Defendants' Liaison Counsel was served on Plaintiffs' Liaison Counsel by e-mail and by e-service to all parties by uploading same to LexisNexis, on this 10TH day of October 2006.

A handwritten signature in black ink, consisting of a stylized, cursive name, is written over a horizontal line. The signature is positioned to the right of the main text block.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

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Monthly Telephone Status Conference
October 11, 2006- 1:30 p.m.

AGENDA

Current Matters:

1. State Liaison Counsel
2. Trust Account
3. Trial Schedule
4. MDL Mediation & Resolution Program
5. Pro Se Plaintiffs
6. Emergency Motion for Distribution of Attorney's Fees