

**MINUTE ENTRY
FALLON, J.
NOVEMBER 29, 2007**

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

IN RE: PROPULSID : **MDL NO. 1355**
: **PRODUCTS LIABILITY LITIGATION** : **SECTION "L"**
: **JUDGE FALLON**
..... :

THIS DOCUMENT RELATES TO ALL CASES

A monthly status conference was held on this date by telephone in the Chambers of Judge Eldon E. Fallon. At the conference, counsel reported to the Court on the topics set forth in Joint Report No. 59 of Plaintiffs' Liaison Counsel (PLC) and Defendants' Liaison Counsel (DLC).

I. State Liaison Counsel/MDL Resolution Program II

The enrollment requirements have been met for the State Settlement Program (Propulsid II). Escrow Agreements have been executed and Defendants have funded the various funds. The parties have set the deadlines for submission of enrollment and claims forms and notices have been posted on the Court's website at <http://propulsid.laed.uscourts.gov/>.

II. Trust Account

No deposits have been made into the Trust Account since the last status conference.

III. MDL Mediation and Resolution Program

The deadline for enrollment and the submission of claims forms for the First MDL Resolution Program has expired. The Special Master reports that there are over 15,000 claimants who enrolled, but did not submit claims forms. The DLC has advised that it will seek

dismissal of claimants and is discussing the issue further with the PSC.

The Special Master reported that 1,211 Tier I, II, and III claims have been submitted to the medical panel for review. Of these 1,211 claims, 1,010 have been treated on an expedited basis. Nine (9) of the submitted tiered claims have been found eligible by the panel, and the Special Master has made those awards, one of which was re-reviewed. One hundred thirty-six (136) submitted claims are still in the review process, with 120 of these considered expedited by the Defendants and 6 of these are considered to be a re-review.

The weekly telephone conference with the Special Master, PLC, DLC and SLC continues to take place to discuss issues regarding the Resolution Program.

IV. 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 matter has been reset for hearing on March 28, 2007 at 9:00 a.m.

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. A hearing date has not been set.

V. Liaison's Counsel Motion for Equitable Administration of the Settlement Agreement

On February 7, 2007, the PLC filed a sealed Motion for Equitable Administration of the Settlement Agreement, which Defendants opposed, regarding modification of the process in which claims are approved or denied by the medical panel. This matter was set for hearing on

April 4, 2007, but was continued without date. Defendants filed a sealed Motion for Judicial Declaration regarding Propulsid II on March 13, 2006, which was also continued without date. The parties have withdrawn their motions with a reservation of rights to reassert their positions, if necessary. This item will be removed from the Agenda until, and unless, it becomes necessary to re-urge the motion.

VI. Supplemental Agreement re: Propulsid I and II

The parties have reached an agreement, which is set forth in a “Supplemental Agreement re Propulsid 1 and 2” and August 30, 2007 Notice of the same. The Supplemental Agreement and Notice of same have been posted on the Court’s website.

VII. Next Status Conference

The next status conference will be held by telephone on January 10, 2008 at 9:00 a.m. Dial-in information for participation will be posted on the Propulsid MDL website prior to the conference.

A handwritten signature in black ink, consisting of a stylized 'S' followed by a vertical line and a horizontal line extending to the right.