

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**Hon. Marcia M. Henry**  
**United States Magistrate Judge**

**MINUTE ENTRY AND ORDER**  
**22-MD-3044 (NGG)(MMH)**

*In re: Exactech Polyethylene Orthopedic Products Liability Litigation*

DATE: 03/23/2023 **Video** // Telephone // In Person

Zoom Log #: Start Time 2:48PM End Time 4:15PM

Court Reporter (if in person): \_\_\_\_\_

<b>Lead Plaintiffs' Counsel</b>	<b>Exactech Defense Counsel</b>	<b>TPG Defense Counsel</b>
Kirk Pope Ellen Relkin Rayna Kessler Michael Cutler Cara Wall Cal Warriner Amanda Fernandez	Michael Kanute Susan Sharko Sean Powell	Christa Cottrell Mark Premo-Hopkins

Next Status Conference Date: 06/01/2023 at 2:30 PM

Next Status Conference Format: **Video** // Telephone // In Person

**DISCUSSION AND RULINGS:**

The parties discussed the joint status report at ECF No. 151 and the parties' proposed orders. The Court so ordered the Amended Fact Sheet Implementation Order at ECF No. 137-1 as amended, the Stipulation Regarding Broadspire Documents at ECF No. 138, and the Amended Case Management Order No. 2 at ECF No. 149 as amended.

The Court stayed the TPP Plaintiffs' discovery demands until at least May 3, 2023. (*See* ECF No. 151 at 7.)

A separate order regarding Science Day shall issue.

The Court set the following deadlines:

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By **03/30/2023**, the parties shall file the proposed Short Form Complaint and related documents. (See ECF No. 161 at 1.)

By **03/30/2023**, the TPG Defendants shall file a pre-motion conference letter pursuant to the individual rules of Judge Garaufis.

By **03/31/2023**, the Exactech Defendants shall produce the metadata discussed on the record. The Court denied (without prejudice) the Personal Injury Plaintiffs' request for a Rule 30(b)(6) deposition pending the outcome of the parties' ESI meet and confer. (See ECF No. 151 at 4.)

By **04/10/2023**, the parties shall file a proposed discovery case management order governing master discovery. (See ECF No. 151 at 7.)

By **04/10/2023**, the parties shall file joint preservation protocols and related orders. (See ECF No. 151 at 7-8.)

By **04/21/2023**, the Exactech Defendants shall answer or otherwise respond to the Amended Master Complaint at ECF No. 164. (See ECF No. 151 at 2.)

By **04/27/2023**, the parties shall file an interim joint status report.

By **05/22/2023**, the parties shall file their standing pre-status conference joint status report.