

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: 01/25/2023 **Video** // Telephone // In Person

Zoom Log #: Start Time 2:44PM End Time 3:38PM

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

Lead Plaintiffs' Counsel	Defense Counsel
Kirk Pope Ellen Relkin Rayna Kessler Joseph Saunders	Michael Kanute Susan Sharko Sean Powell

Next Status Conference Date: 03/23/2023 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. 79 and the parties' proposed orders. The Court so ordered the electronic service order at ECF No. 75, the case management order regarding master and short form pleadings, preservation of explants, and master document production at ECF No. 76 as amended on the record, the protocol governing the production of Defendants' electronically stored information at ECF No. 82-1, the protective order at ECF No. 82-2 as amended on the record, and the case management order regarding plaintiffs' preliminary disclosure form at ECF No. 82-3.

The Court set the following deadlines:

By **02/03/2023**, the parties shall file: (1) a joint submission regarding the factual background of the medical devices at issue, including their function and purpose; and (2) a letter proposing a time frame and logistics for Science Day.

By **02/24/2023**, the parties shall confer and file: (1) a proposed plaintiff fact sheet and a proposed order enabling the use of the same; and (2) a status report regarding a protocol for Plaintiffs' electronically stored information.

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By **02/27/2023**, Defendants shall produce the document production in the Florida state cases.

By **03/13/2023**, Defendants shall file the Master Answer.

By **03/13/2023**, the parties shall file a joint status report regarding progress with discovery and the litigation generally.