

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
CATHERINE C. BLAKE
DISTRICT JUDGE

U.S. COURTHOUSE
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June 20, 2018

MEMO TO COUNSEL

*In re: Smith & Nephew Birmingham Hip Resurfacing (BHR) Hip Implant
Products Liability Litigation, MDL 17-MD-2775*
(This Document Relates to BHR and THA Track Cases)

Dear Counsel:

This will confirm several agreements reached at the status conference on June 12, 2018. Separate rulings are being issued as to the scope of discovery and *ex parte* contacts with treating physicians.

As to discovery, the parties are free to use the court's informal discovery resolution process by scheduling a conference call and submitting letter briefs (no more than three pages) at least two days in advance of the call. (This will not replace the monthly status conferences.)


As to the motion for leave to amend the complaint in the Cox case (ECF No. 71 in CCB-18-326, ECF No. 662 in 17-md-2775) to add Smith & Nephew PLC, counsel may have until June 25, 2018 to submit any additional authority they would like me to consider regarding the statute of limitations.

Counsel will confer and advise me as soon as possible on finalization of the plaintiffs' and defense fact sheets in the BHR cases. In the BHR track, the parties will target March 2020 for trials in this District. Discovery limitations have been set: 50 interrogatories per side; 40 additional requests for production; and 60 requests for admission. In the THA track, counsel will confer and advise me as soon as possible regarding a proposed schedule for filing a MACC and briefing motions to dismiss in the THA cases (while some discovery also should be proceeding in the THA track).

The next status conference will be **July 25, 2018 at 9:00 a.m.** in chambers and **9:30 a.m.** in court. A proposed agenda is due July 20, 2018.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Sincerely yours,

/s/ 
Catherine C. Blake
United States District Judge