

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
CATHERINE C. BLAKE  
DISTRICT JUDGE

U.S. COURTHOUSE  
101 WEST LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
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July 31, 2018

MEMO TO COUNSEL

*In re: Smith & Nephew Birmingham Hip Resurfacing (BHR) Hip Implant  
Products Liability Litigation, MDL 17-md-2775*

Dear Counsel:

This will confirm the results of our status conference on July 25, 2018.

In regard to the 80-plus THA cases presently pending in this court, plaintiffs' counsel anticipate filing a MACC by early August, and short form complaints by the end of August. A jointly proposed schedule is expected to be filed within the next few days. Additional discovery in the THA cases also will proceed, to an extent to be decided, beginning in September. A proposed schedule for briefing a motion to dismiss will be filed with the court in the near future.

Simultaneously, also as to the THA cases, the parties are prepared to move forward with mediation. A proposed order appointing a mediator will be filed with the court in the near future.

As to the BHR cases (currently 300-plus), the defendant's motion for summary judgment as to certain cases on statute of limitations grounds is being briefed. Oral argument will be heard on the next conference date, which is August 29, 2018. In addition, counsel has submitted a proposed First Amendment to CMO No. 8 to comply with the use of MDL Centrality software, and will be submitting a proposed supplement to the protective order governing processing and handling of data from foreign custodians in light of the recently enacted General Data Protection Regulation ("GDPR").

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