

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
CATHERINE C. BLAKE
DISTRICT JUDGE

U.S. COURTHOUSE
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September 26, 2019

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 September 25, 2019.

The remaining disagreements concerning the discovery, motions deadlines, and trial dates for the BHR track initial trials have been resolved. Counsel will submit a revised proposed order for the BHR track schedule. A separate schedule for the THA track initial trials will be set at a later date.

Smith & Nephew has filed a motion to amend and certify for interlocutory review the court's order addressing dismissal of claims in the THA track (ECF No. 172). The plaintiffs' response is due October 11, 2019; the defendant's reply is due October 18, 2019; and oral argument will be heard on October 23, 2019.

Smith & Nephew also has filed a motion to dismiss certain claims as time-barred (ECF No. 1755). The plaintiffs' response is due October 18, 2019. Counsel will confer regarding a reasonable date for the reply and for any sur-reply if necessary. Oral argument will be heard either November 21, 2019, or December 18, 2019, depending on the final briefing schedule.

The next in-person status conference and motions hearing date is October 23, 2019. Counsel will confer and advise the court if a discovery conference call would be helpful before that date.

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