

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE: STRYKER LFIT V40 FEMORAL
HEAD PRODUCTS LIABILITY LITIGATION**

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MDL No. 17-md-2768-IT

This Document Relates To:

All Cases

**CASE MANAGEMENT ORDER NO. 8
(Responsibilities of all Counsel in Advance of the
February 24, 2021 Case Management Conference)
December 3, 2020**

TALWANI, D.J.

This Order supplements the court’s prior procedural orders in MDL Docket No. 2768 (“MDL No. 2768”) as set forth herein. This Order applies in all open cases previously or hereafter transferred to this MDL, and in all open cases previously or hereafter directly filed in this District for consolidation with this MDL (the “open cases”). All counsel of record in open cases who have complied with CMO No. 7 and have filed a Notice of MDL Appearance should receive a copy of this Order directly through CM/ECF. Nonetheless, to avoid any potential lack of notice, Plaintiffs’ Administrative Counsel shall promptly notify all counsel for Plaintiffs in all open cases of this Order.

The court has set a Case Management Conference for February 24, 2021. In preparation for that Case Management Conference:

- (1) Counsel for the Defendant shall review all open cases.
- (2) Plaintiffs’ Executive Committee shall review all open cases. To facilitate their review, individual plaintiffs’ attorneys for each open case shall confer with members of

Plaintiffs' Executive Committee regarding the open cases where individual plaintiffs' counsel is counsel of record.

(3) In advance of conferring with Plaintiffs' Executive Committee, all individual plaintiffs' attorneys shall review all open cases where they are counsel of record, and shall ensure that:

- a. they have met their ongoing "reasonable inquiry" obligations set forth in Fed. R. Civ. P. 11(b) and their duty to disclose or supplement under Fed. R. Civ. P. 26(e)(1) and under the court's prior orders; and
- b. they have fully completed and supplemented as needed all Plaintiffs' Fact Sheets after a diligent and reasonable inquiry as to the facts stated therein and in accordance with their obligation to supplement Plaintiffs' Fact Sheets to provide complete, correct, and/or additional information.

(4) If any individual plaintiff's counsel fails to respond to Plaintiffs' Executive Committee's request to confer or fails to comply in whole or part with this Order, Plaintiff's lead counsel shall promptly inform the court.

(5) Plaintiffs' lead counsel and counsel for Defendant shall confer and file a joint status report in advance of the February Case Management Conference.

IT IS SO ORDERED.

Date: December 3, 2020

/s/ Indira Talwani
United States District Judge