

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: PHILIPS RECALLED CPAP,
BI-LEVEL PAP, AND MECHANICAL No. 21-mc-1230
VENTILATOR PRODUCTS LIABILITY MDL No. 3014
LITIGATION

Transcript of Status Conference held via Zoom on Thursday,
November 9, 2023, before Honorable Joy Flowers Conti, Senior
United States District Judge.

Court Reporter: Noreen A. Re, RMR, CRR
 700 Grant Street
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 Pittsburgh, PA 15219

Proceedings recorded by mechanical stenography;
transcript produced by computer-aided transcription.

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P R O C E E D I N G S

1
2 THE COURT: Good morning, everyone. This is Judge
3 Conti. This is the status conference in re Philips Recalled
4 CPAP, Bi-Level Pap, and Mechanical Ventilator Products
5 Liability Litigation. It is MDL No. 3014.

6 The parties who intend to speak have entered their
7 appearance pursuant to a joint notice that was filed with the
8 Court. And the time would be now if anyone is on this Zoom
9 call, if you would like to enter your appearance, you should
10 speak up now.

11 (No response.)

12 THE COURT: Hearing none, the parties who have
13 entered their appearance through the joint notice will be
14 recognized as having entered their appearance. So let's
15 begin.

16 We have a number of matters to go through today. So
17 we have, first of all, the discovery update and status of
18 proceedings with the special master. Who would like to
19 address that?

20 MR. BUCHANAN: I'm happy to just take it off, Your
21 Honor. Dave Buchanan from Seeger Weiss for plaintiffs. On
22 the plaintiffs' side, we're busy on all matter of discovery.
23 That usually means the defendants are pretty busy as well.
24 That's both party and nonparty discovery.

25 Many of the relevant employees are former employees

1 at this point. We've dropped subpoenas, and they're pursuing
2 third-party discovery against a number of the relevant former
3 employees.

4 Document productions continue. That involves at this
5 point both supplemental requests and revisiting prior requests
6 to, if you will, get supplemental productions dealing with
7 whether it's privilege or responsiveness concerns or just, you
8 know, fussing about formatting and other issues that may have
9 yielded fewer documents or need for follow-up in various
10 areas.

11 So I would say nothing out of the ordinary at this
12 point, Your Honor. We're working through those and meet and
13 confer with the defense. We have some disputes, but we're
14 working with Special Master Katz to get to the bottom of
15 those.

16 Depos are proceeding. We've got a handful set
17 between now and the end of the year. We've got open requests
18 for others, but with third parties in this case there has been
19 a lot of coordination efforts involved with both third-party
20 counsel, former employees who Philips doesn't control the
21 schedules of and, obviously, counsel and those schedules. But
22 that looks like, I would say, the first quarter is going to be
23 a fairly busy time with regard to liability/causation
24 depositions in the Philips MDL.

25 We're before Special Master Katz, as you know,

1 regularly and are continuing to work with her to move through
2 the issues that we have on discovery.

3 MS. McNALLY: Judge Conti, this is Laura McNally for
4 Philip RS. I agree with Mr. Buchanan's recitation of the
5 current discovery situation. From the defendants'
6 perspective, we are fielding those additional and supplemental
7 requests from plaintiffs and working through, you know, the
8 nits of discovery, working closely with Special Master Katz on
9 that. I think that Mr. Buchanan did a nice job of summarizing
10 where things stand.

11 THE COURT: Anything else on the discovery?

12 (No response.)

13 THE COURT: Now we have some proposed deadlines for
14 personal injury and the medical monitoring tracks. I just
15 wanted to maybe combine this with a look at this joint notice
16 of the updated timeline pertinent MDL dates.

17 The one thing -- I think this will roll over in some
18 of the other issues. When I look at the timelines -- let's
19 look at the 7-15-24. That's the deadline to complete expert
20 depositions relevant to class certifications for medical
21 monitoring class action. And then we have Daubert motions for
22 these class certification issues for medical monitoring. And
23 those are not scheduled to start until December. And in
24 between that there is the motions for class certification that
25 are going to be filed.

1 But I think you need to resolve the Daubert issues if
2 they're going to affect the class certification. You'll have
3 to have the Daubert matters resolved prior to the filings for
4 the class certification. That would be my sense of it,
5 because I don't know how you can file the motions for class
6 certifications if you're relying on expert reports that are
7 then going to be disputed pursuant to the Daubert proceedings
8 and then how that affects the class certification motion. It
9 could be very confusing. So I would like to hear from
10 somebody about that.

11 MR. LAVELLE: Good morning, Your Honor. John Lavelle
12 from Morgan-Lewis for Philips RS. One point of maybe
13 clarification and then a response. The timeline that was
14 submitted to Your Honor reflects the deadlines that are
15 currently in place --

16 THE COURT: Right.

17 MR. LAVELLE: -- for medical monitoring. Those were
18 obviously set in your order several months ago. The proposal
19 that we submitted to Your Honor on Tuesday of this week would
20 adjust some of those medical monitoring dates to be more
21 aligned with what we've proposed as to schedule for personal
22 injury claims. So some of the dates would be different. I
23 will acknowledge --

24 THE COURT: It has the same thing, though. So let's
25 look at -- when you look at it for the changes on the personal

1 injury, you have the Daubert hearing coming after you've
2 already filed all your summary judgment motions. And if the
3 matters that are raised in the Daubert motions are matters
4 that will affect how I'm going to rule on summary judgment, I
5 think you've got the cart before the horse, so to speak.

6 At least the way I handle my cases, if I have a
7 summary judgment and the summary judgment is going to be on
8 sort of liability issues and there is an expert that is
9 weighing in on those liability issues, I require that the
10 Daubert hearing be held prior to the submission of the summary
11 judgment briefing, because how I rule on that could affect
12 what happens in the summary judgment briefing.

13 Otherwise, I'm ruling on Daubert motions after the
14 summary judgment has been filed. And then what if that means
15 that you need to go back and redo the summary judgments? Or
16 oftentimes somebody will come and say, "I need a new expert."
17 Then we get into all of those issues, which just causes
18 further delay and concerns like that. Because we've already
19 baked in the time for the submission of the summary judgment
20 motion and briefings. I see that other one, too. So that's
21 why I'm raising this.

22 MR. LAVELLE: Understood, Your Honor. From
23 defendants' standpoint, we would certainly be amenable to
24 making that change for both the personal injury and the
25 medical monitoring track to put the Daubert motions first and

1 then setting back the summary judgment and class certification
2 until after the Daubert decisions are decided.

3 THE COURT: Right. Sometimes I can rule on the
4 Dauberts as I'm going through them. I can do them verbally so
5 that you can get started right away. If it's a little bit
6 more cumbersome, then I might need some reflection time. But
7 I try to move those along relatively quickly, if possible.
8 How many experts are you expecting, by the way?

9 MR. LAVELLE: Your Honor, I would like plaintiffs to
10 answer that first. We are working with a number of experts
11 now; but we, to some extent, are beholding to responding to
12 what the plaintiffs present in the first instance.

13 THE COURT: Okay. Miss Iverson, you wanted to
14 address the Court?

15 MS. IVERSON: Your Honor, yes. I agree with
16 Mr. Lavelle. If you prefer that these be reordered, we are
17 fine with that. We have done this process in a lot of class
18 certifications where the experts are done with class
19 certification or before and Dauberts after. Sometimes, you
20 know, how the testimony might affect the class certification
21 is something that can inform what the Court does on Daubert by
22 having those class certification motions.

23 Obviously, sometimes those class certification
24 motions need to be refiled or adjusted thereafter. But I
25 agree. If that is how Your Honor prefers it, we certainly can

1 adjust the schedule to put the Daubert first.

2 With respect to the number of experts, I'll let Dave
3 speak to that with respect to the PI case. We would expect a
4 number of experts on the class certification side of things
5 for the medical monitoring.

6 Dave, do you want to talk on personal injury track?

7 MR. BUCHANAN: Sure. Happy to address, Your Honor.
8 To some extent we structured the schedule. And, as you know,
9 we are actively pursuing parallel tracks in this litigation.
10 We have a mediator's report to Your Honor in early 2024. I
11 imagine that the scope of expert disclosures will, in some
12 respects, be dependent on how everything shakes out on that
13 track. I wouldn't anticipate that it would be less than ten
14 experts. There will be a number of experts, obviously.

15 THE COURT: This will be on the plaintiffs' side
16 you're expecting at least ten, probably, and then the
17 defendant --

18 MR. BUCHANAN: I would think, Your Honor. There is
19 the ability to cover multiple areas.

20 THE COURT: Okay.

21 MR. BUCHANAN: That will evolve in the coming months.

22 THE COURT: Okay. Thank you. Okay. So if you could
23 redo your proposal for the deadlines to take this into
24 account, meet and confer. If you get me something next week,
25 that would be good.

1 MR. LAVELLE: We can do that, Your Honor.

2 THE COURT: And the other thing, I mean, this case is
3 now -- these cases will go into 2025 and beyond, you know. I
4 am interested in trying to keep these cases, you know, moving
5 as fast as reasonably possible. So I am a little bit
6 concerned about this case is going to be going into 2025
7 minimum.

8 So I'm going to be loathe to grant extensions as we
9 go along if I approve this timeline, just so everybody is
10 prepared. You've given me your best shot, and I have had
11 enough time to become familiar with a number of things. I
12 understand things do happen, but you're going to have to meet
13 a pretty high burden if you want to get an extension. It's
14 going to be something pretty compelling as to why you weren't
15 able to achieve these dates.

16 MR. BUCHANAN: Understood, Your Honor. Just one
17 point I did want to highlight for Your Honor. Next summer in
18 the proposal, the joint proposal of the parties on the PI
19 side, we're coming to you with the parties' proposal on
20 bellwethers.

21 THE COURT: That's the bellwethers for trial as
22 opposed to mediation?

23 MR. BUCHANAN: It's for discovery/trial, Your Honor,
24 but getting into case specific discovery. The parties are
25 separately pursuing, if you will, what needs to be done in the

1 mediation track and is the subject of an order of the Court.
2 But next summer we would be coming forward with a process for
3 that, either joint or separate proposals, mindful of Your
4 Honor's desire to keep this moving. I think after we get the
5 general kind of feel for experts, we can then turn to the
6 individual plaintiffs.

7 THE COURT: Okay. Thank you. Anything else on the
8 timelines?

9 MR. LAVELLE: No, Your Honor. Thank you.

10 THE COURT: Okay.

11 MS. KATZ: Your Honor, this is Carole Katz. I was
12 too slow on the mute button when you were on Item 1. Just to
13 give you a heads-up, there is one issue that we haven't been
14 able to work through, despite significant efforts by everybody
15 involved. So it looks like you'll be getting a report and
16 recommendation from me in the next week or two.

17 THE COURT: Okay. Thank you. The third item, I've
18 already granted that extension for those objections to be
19 filed after Thanksgiving, the week after Thanksgiving. And so
20 that brings us to the deadline for the filing of findings of
21 fact and conclusions of law with respect to the personal
22 jurisdiction issue.

23 MR. SEELEY: Hi, Judge. This is Caleb Seeley from
24 Seeger Weiss. The parties have agreed -- we haven't gotten it
25 on file yet, but we've agreed to December 12th to file the

1 findings of fact and conclusions of law. And then we would
2 submit to Your Honor, in the same manner the parties
3 previously submitted to Judge Vanaskie, the hyperlink
4 versions, as the Court requested. And we're going to do that,
5 give ourselves a week to get those all linked and sorted out.
6 So those would be delivered on the 19th of December.

7 THE COURT: Okay. Thank you.

8 MR. SEELEY: And we can get an official proposed
9 order on file.

10 THE COURT: Okay. Thank you. Okay. There is today
11 -- okay. The update on state court litigation.

12 MR. LAVELLE: Yes, Your Honor. John Lavelle again
13 for Morgan-Lewis for Philips RS. I guess there are three
14 items that we wanted to update you on relating to state court
15 litigation.

16 First, you'll recall, Your Honor, at the last case
17 management conference there was some discussion about the
18 motion that we had filed to -- joint motion to extend the
19 response date on motions to remand. There has been one
20 individual plaintiff -- the name is Graham -- who had objected
21 to that. And Your Honor encouraged us to reach out to
22 Mr. Graham's counsel to see if we could resolve that
23 objection. Unfortunately, we were unable to resolve that.

24 Plaintiffs' counsel did reach out on a couple of
25 occasions to Mr. Graham's counsel and was unsuccessful. So we

1 have filed this morning, I think just before the case
2 management conference, the reply brief in further support of
3 the joint motion. So, unfortunately, that will have to be
4 addressed at some point.

5 THE COURT: Okay. So what I'm going to do is I'm
6 going to order if they want to file a reply that they do so by
7 November 30th. And I'm going to schedule this for a hearing
8 that if they want to be heard, the Graham matter, we'll take
9 that up after the conclusion of the status conferences on
10 December the 14th.

11 MR. LAVELLE: Yes, Your Honor.

12 THE COURT: So I'll be entering a text order about
13 that.

14 MS. DUGGAN: Your Honor, Sandra Duggan. Good
15 morning. We had reached out to the Grahams' counsel, Jordan
16 Stanton. We will let him know that Your Honor will be
17 scheduling the hearing.

18 THE COURT: Yeah. I'm going to note that in their
19 docket entry here so that they'll have that notice as well.
20 But if you follow up with him, that would be appreciated.
21 Thank you.

22 MS. DUGGAN: Thank you.

23 THE COURT: So anything else on the state court
24 litigation?

25 MR. LAVELLE: Yes, Your Honor. There are two other

1 matters I just wanted to bring Your Honor up to speed on.
2 First, with respect to the Massachusetts state court
3 litigation, we reported to this previously. There are still
4 currently 19 cases pending before Judge Barry Smith in
5 Massachusetts. Five of those have been consolidated. There
6 has been a motion filed for the other 14 to be consolidated.
7 But all 19 are assigned specially to Judge Barry Smith, and
8 the order that was entered by the Court will assign all future
9 related cases to him as well.

10 So I think we're in alignment in Massachusetts. We
11 also wanted to bring to your attention, Your Honor, one other
12 matter. And that is there is a case that is currently pending
13 in the Western District of New York, and the plaintiffs' name
14 in that case is Lis, L-I-S, Sharon Lis and Allen Lis. That is
15 a case that was originally filed in state court in Niagara
16 County, New York, in August. We removed it to federal court.

17 We filed a motion to stay pending transfer to Your
18 Honor's MDL. The plaintiffs opposed that. Currently the way
19 that is postured is there was a report and recommendation by a
20 magistrate judge denying our motion to stay and granting -- or
21 recommending a grant of the motion to remand. So that is
22 currently pending before Judge Sinatra, S-I-N-A-T-R-A, like
23 the singer, Frank Sinatra, but his name is Judge John Sinatra
24 in the Western District of New York.

25 We'll be continuing to litigate that issue. And I

1 would expect that later this month Judge Sinatra will be
2 taking up whether to grant or deny the objections we'll be
3 filing to the report and recommendation.

4 So we will be arguing, Your Honor, that this case
5 should be transferred to the MDL so that the motion to remand
6 can be decided by Your Honor in a manner uniform with other
7 motions to remand, because it raises the very same type of
8 issues that other motions to remand have, including whether
9 joinder of a DME, durable medical equipment provider, is
10 appropriate and whether that destroys diversity or not.

11 We just want to make sure that Your Honor was aware
12 of that. It's technically not a state court matter. But if
13 the motion to remand is ultimately granted by Judge Sinatra,
14 then it will be a new case in state court and presumably would
15 be proceeding in that court.

16 THE COURT: You're saying there is an R&R that
17 supports the remand?

18 MR. LAVELLE: Yes. There is a report and
19 recommendation that does two things. It denies our motion to
20 stay pending transfer to the MDL and, second, recommends the
21 remand back to state court.

22 Just to complete the picture for Your Honor, the
23 judicial panel in multi-district litigation is poised to rule
24 on the transfer later this month of this case. So there is a
25 little bit of a race going on here as to whether or not Judge

1 Sinatra will address this before the judicial panel does.

2 THE COURT: Okay. Thank you. Anything else on the
3 state court litigation?

4 MR. LAVELLE: That's the update, Your Honor.

5 THE COURT: Okay. How about the census registry?

6 MR. LAVELLE: The current count of the census
7 registry, Your Honor, is 55,325 potential claimants.

8 THE COURT: Okay. Anything from the plaintiffs on
9 that?

10 MR. BUCHANAN: That's a few more than we had on our
11 list. I assume the defense has a more current roster on that.
12 It's up about a thousand from last month, Your Honor. There
13 is about 655 cases on the docket now.

14 THE COURT: Okay. All right. The Leadership
15 Development update.

16 MS. BARRETT: Good afternoon, Your Honor. Caitlin
17 Barrett on behalf of Philips RS. Just as plaintiffs'
18 leadership takes its commitment to mentor its junior lawyers
19 seriously, so does Morgan-Lewis and our co-counsel at
20 Sullivan & Cromwell and Baker Botts.

21 Since I first spoke to Your Honor about these
22 opportunities a year ago, the substantial work I've been
23 involved in has only increased, whether it be on the document
24 and written discovery front such as helping to investigate and
25 respond to interrogatories, ensuring consistency across the

1 various discovery work streams, coordinating with our E data
2 team to ensure a smooth production process, working with our
3 client to facilitate efficient collection of material to
4 ensure we get plaintiffs what they need when they need it,
5 participating in meet-and-confers with our document production
6 and privilege challenges. And in recent months I have been
7 preparing for and participating in depositions, which helps
8 our team delve further into fact investigation as we learn
9 from the deposition testimony.

10 Regardless of the assignment, our team has integrated
11 me into the defense strategy discussions with the client and
12 the lead attorneys every step of the way, helping me
13 understand the larger context of these assignments in such a
14 complex matter.

15 Your Honor's encouragement that the parties fully
16 integrate junior attorneys into all aspects of the MDL has had
17 an immeasurable impact on my development as an attorney, as
18 well as the development of other junior attorneys who have
19 reported back in to you in previous case management
20 conferences.

21 We look forward to further substantial work as this
22 matter progresses and further opportunities to report back to
23 you on the progress we have on the development. Thank you.

24 THE COURT: You're welcome. Thank you, Miss Barrett.
25 Anyone else? Anyone from the plaintiffs' side?

1 (No response.)

2 MS. IVERSON: We have Katie Harrison on, but I'm not
3 sure if we can hear her. Katie, I don't know if your mic is
4 working. We can't hear you. (Pause.) Still can't hear. We
5 might have to defer Katie until next month.

6 THE COURT: Okay. I have two things that I wanted to
7 bring up. One, on December 14th the Court will be having
8 bagels and coffee in the morning before the status conferences
9 in the SoClean and the Philips MDLs. So you're all invited to
10 come to that. And it will be right here in the courthouse, as
11 I had it the last time. But it may be in our jury room here
12 right outside my chambers.

13 So you're all welcome to come. This will be in
14 anticipation of the holidays and vacations coming up at the
15 end of the year. So it will be an opportunity for everybody
16 to get together, and we'll do that in the morning.

17 I chose the morning because I understand you all come
18 in generally the night before, and that will be -- so you'll
19 be able to leave as soon as the conferences or I have the
20 hearing on the remand in the Graham case, after that is
21 concluded. But I did neglect to let our SoClean parties know
22 about this. So I will give you an opportunity, if you would
23 be so kind, as to let them know that it's both for SoClean and
24 the Philips MDL.

25 MR. MONAHAN: I think they're all on this call.

1 THE COURT: Hopefully they are and they'll know this
2 is for everybody. And I hope to see all of you, if you are
3 able to make it in for that conference for you to be here for
4 the bagels and coffee and that kind of thing. So it's just an
5 expression from the Court toward the camaraderie and
6 professionalism that I've seen evidenced over the course of
7 these two MDLs. Now, the next thing that I want --

8 MS. HARRISON: Your Honor, I'm sorry. This is Katie
9 Harrison from the Leadership Development Committee. I
10 apologize. I didn't realize I had 15 different microphone
11 options this morning. But if you would still like to hear my
12 presentation?

13 THE COURT: Yes.

14 MS. HARRISON: Good morning. And thanks for having
15 me on behalf of the LDC. Your Honor, the LDC continues to
16 meet with one another and with lead counsel and the entire PSC
17 on a regular basis. We continue to work on our committees and
18 are frequently invited by lead counsel and members of the PSC
19 to participate in projects that are of specific interest to
20 each of us.

21 And I would like to take this opportunity, Your
22 Honor, to thank you for the opportunity to be part of this
23 committee and for creating this committee. I know that I
24 think one of the goals of the LDC, when judges create them, is
25 to permit those of us with less experience in MDL cases, but

1 that might have something to contribute, an opportunity to
2 learn and find that place for us in this practice.

3 And that certainly has been an outcome for me. As
4 Your Honor may know, this opportunity has afforded several of
5 us the opportunity to speak on MDL and related matters at
6 conferences, to participate in some really high-level thinking
7 about this type of practice and how it can be improved even
8 more in the future and explore how we can continue to develop
9 our skills and our own potential for leadership in this
10 matter. So thank you for that.

11 And I think that you'll get a report from us in the
12 future about how incredibly helpful this was to each one of
13 the members. So thank you, and I apologize for my glitch.

14 THE COURT: Hopefully you're all keeping your notes
15 on this. And if the MDL keeps going on and on longer than I
16 expect, I might ask for an interim report from the both sides'
17 Leadership Development programs that I can submit to the
18 judicial panel so that they can see whether or not this is
19 helpful and what is worked, what hasn't worked and we can
20 develop, hopefully, some best practices for other MDLs going
21 forward or make corrections in our own MDLs that are pending
22 before me here. So thank you.

23 MS. HARRISON: Thank you, Your Honor.

24 THE COURT: Okay. So the next thing I wanted to
25 raise with everyone is the new decision that came down from

1 the Third Circuit Court of Appeals in the in re Wawa data
2 security litigation. This was just filed on November 2, 2023.
3 And it has to do with the attorney's fees.

4 So I did read this, and it did strike me as I read
5 through it that it raises issues with respect to the request
6 for attorney's fees in the settlement that is presently
7 pending before the Court.

8 So I would expect at a minimum when the briefing
9 comes in that you'll be prepared to address the issues that
10 are raised in the in re Wawa opinion, and maybe changes are
11 necessary to the settlement arrangements with respect to the
12 legal fees. I'm not going to opine on that. But it certainly
13 does raise some issues about how the Court should view
14 analyzing the attorney's fees.

15 MS. IVERSON: Yes, Your Honor. Kelly Iverson for
16 plaintiffs. We will certainly address that when you get the
17 fee petition. We are very familiar with the case, and some of
18 the plaintiffs' leadership have been involved in that case.
19 We do think that -- we don't think the Third Circuit created
20 new law with the case.

21 I think it's the same law that's been being applied
22 and that our fees are supportable under the standards of the
23 Third Circuit. And we will set them forth in the briefing, be
24 prepared to address any questions or concerns that Your Honor
25 has.

1 THE COURT: In particular, just so you know, just for
2 my high-level advantage, having just looked at the opinion,
3 the one issue seems to be, when I analyze it, you don't look
4 at the separate amounts set aside for attorney's fees. You
5 add that in to the total economic package, because that's the
6 benefit. It's a common fund.

7 And so when you're addressing the percentages of
8 recovery, you would add the 95 into the value otherwise given;
9 and you get your percentage that way. And then when you're
10 looking at the terms, you have to be concerned about a
11 reversion to the defendant from if the Court doesn't approve
12 the full 95, it's less than that, that money now would stay
13 with the defendant, as I understand the settlement. So they
14 were raising some concerns about that, and also just the very
15 nature of the defendant agreeing not to contest above a
16 certain amount.

17 So those kinds of things that were raised. I'm not
18 saying one way or the other how it would impact my analysis,
19 but I just know that I want to avoid any possible appellate
20 issues, if we can address them here and have an appropriate
21 record made so that it will be sustainable if there are
22 objections. Okay?

23 MS. IVERSON: Your Honor, we would certainly like to
24 avoid that as well. Thank you very much.

25 THE COURT: You're welcome. Okay. Is there anything

1 else?

2 (No response.)

3 THE COURT: I see Ms. French-Hodson is on. Did you
4 hear my invitation for the continental breakfast we'll call it
5 on December 14th?

6 MS. FRENCH-HODSON: I did, indeed; and I will make
7 sure my colleagues know about it as well.

8 THE COURT: Thank you so much. Okay.

9 MS. IVERSON: Your Honor, Kelly Iverson one more
10 time. Is the Court working on the 2024 monthly case
11 management conference schedule? I don't think we've received
12 that yet, unless I'm mistaken.

13 THE COURT: Thank you for bringing that to my
14 attention. You know, I have got a change in law clerks here.
15 So we will have that out to you promptly.

16 MS. IVERSON: Thank you.

17 THE COURT: Anything else? All right. Well, have a
18 nice Thanksgiving, everyone. And I'll see you here in
19 December. Thank you all.

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21 (Whereupon, the above-captioned matter was
22 concluded.)

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C E R T I F I C A T E

I, NOREEN A. RE, RMR, CRR, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled case.

s\ Noreen A. Re
NOREEN A. RE, RMR, CRR
Official Court Reporter

November 9, 2023
Date of Certification