



1 P-R-O-C-E-E-D-I-N-G-S

2 Thursday Morning, March 14, 2024

3 (In Open Court)

4 THE COURT: So we have a plane to catch for our  
5 friends in SoClean in that case. So we'll get started with  
6 the In Re: Philips Recalled CPAP, BI-LEVEL PAP and Mechanical  
7 Ventilator Products Litigation, MDL No. 3014.

8 The parties have filed a notice of who the speakers  
9 are going to be. If there's anyone else who wishes to enter  
10 their appearance, they should come forward and sign a tablet  
11 in front of the court bench to enter your appearance.

12 So let's look at the agenda. The Court has been  
13 requested to consider first the contribution claims in the MDL  
14 against SoClean and DWHP.

15 MR. MONAHAN: Thank you, Your Honor. Thank you for  
16 going out of order. Bill Monahan for the parent level  
17 defendants, Philips defendants.

18 So as I think we previewed last time, we have our  
19 contribution complaint against SoClean and DW ready. This is  
20 a third-party complaint for contribution. The theory,  
21 ultimately, that we are being sued for personal injury, and we  
22 think that for those users who use SoClean, that the injury is  
23 at least in whole or in part their responsibility.

24 The only issue here is really procedural, and this is  
25 intended to be an update to Your Honor and not to issue a

1 ruling, because I want you to have a preview of what I think  
2 will need to happen here.

3 So we discussed over the last two weeks a proposed  
4 PTO that would allow us to bring SoClean and DW in in about a  
5 hundred cases through a master pleading very similar to the  
6 master pleading process that is used for the PI claims.

7 We know from -- so I think there's about 800 or so --

8 THE COURT: The master of third-party complaints?

9 MR. MONAHAN: Exactly, Your Honor. That's exactly  
10 what we had in mind, and we were hopeful that we could reach  
11 agreement on that.

12 Out of the -- so we have about 800 individual  
13 plaintiffs suing us for personal injury. I think only around  
14 550 have completed fact sheets today, and based on the 550 of  
15 completed fact sheets, it looks like about a hundred of them  
16 have self-disclosed that they use SoClean and so we're focused  
17 on that hundred or so right now.

18 I would say in terms of the good news, we had a very  
19 productive dialogue with plaintiff's counsel over here. They  
20 gave us comments on the PTO. They were generally fine and we  
21 were all good there.

22 Unfortunately, SoClean and DW have taken the position  
23 that they will not agree to any PTO hearing. We have included  
24 them in the discussions, and their position is that the Court  
25 just doesn't have the authority to enter that PTO, and SoClean

1 and DW would object if the Court did so.

2 We asked -- and the position is ultimately that  
3 before --

4 THE COURT: Because the multi district -- because --

5 MR. MONAHAN: I think their position is a little  
6 different. It's timing, Judge. They can explain it if I get  
7 it wrong, but they are saying that the Court has to decide our  
8 motion to dismiss the plaintiff's personal injury complaint  
9 before we can bring them in through a master third-party  
10 complaint. That's incorrect though, and this is an important  
11 distinction, Your Honor. We are in Rule 14(a)(1) here. This  
12 is a third-party pleading rule. This is not counterclaims.  
13 In counterclaims, you need to wait for your answer.

14 But Rule 14(a)(1) is actually very clear here, that  
15 you don't need to wait for an answer or a ruling on these  
16 claims, and we actually tried to address that concern. We  
17 said to them, okay, if you really -- if that's a problem for  
18 you, then let's hold off on your answer or responsive pleading  
19 to our master third-party complaint until the Court has  
20 decided the claims, the PI claims against us, and that did not  
21 move the needle at all.

22 I would note that in the MTBE MDL -- I'm not entirely  
23 sure what that stands for, but it's a products MDL in the  
24 Southern District of New York, there was extensive motion to  
25 dismiss briefing on the underlying claims well after the use

1 of a master third-party complaint to bring in the third party.  
2 So this is not unheard of at all, and the rule they are citing  
3 is, in fact, belied by Rule 14(a)(1).

4 So we can proceed now. And the real issue is is  
5 practicalities. We need to go forward now, Judge. We have a  
6 July 30 fact discovery cutoff. They have been responding to  
7 discovery subpoenas we have been serving on them in the  
8 Philips MDL with "we're just a third party here," "just  
9 don't -- " you know, the usual third party, "don't bother us"  
10 sort of response, and that really needs to end at this point.  
11 They need to become formal parties in this MDL.

12 THE COURT: Well, when would you be in a position to  
13 file your proposed pretrial order?

14 MR. MONAHAN: I want to say today, but let me say  
15 tomorrow just to build in that day.

16 THE COURT: So if you file that where you are going  
17 to set up a time you want the Court to establish a process for  
18 the filing of this master complaint to bring in a third party,  
19 so they should have an opportunity to respond that that's  
20 improper, and the timeframe for that, I'll give them two weeks  
21 to get that in.

22 MR. MONAHAN: That's fine, Your Honor. We're happy  
23 to do that. Can I make one other suggestion, though? I  
24 really am worried about delay here because of these deadlines.  
25 We have an April deadline -- excuse me -- a May deadline

1 relating to general causation. Once they are in this case,  
2 they are going to need to participate in that.

3 THE COURT: We'll have to see how it affects it, but  
4 I need some time to review the issue.

5 MR. MONAHAN: Understood, Your Honor. But what I  
6 would suggest -- here's my only suggestion. While Your Honor  
7 considers the master complaint process, I do want to go  
8 forward with filing the individual third-party complaints in  
9 the hundred or so cases in which we know from plaintiff's  
10 disclosures that they use SoClean.

11 I just -- I want to get those on there. I want to  
12 make them a party so that they participate. I think the Court  
13 certainly should then go to the master complaint process, but  
14 I at least want to get them in this case so that we can move  
15 forward.

16 THE COURT: But it's the same kind of issue there.  
17 They could say that because those individual complaints are  
18 tied in, those individual cases are tied in to the master  
19 case, you know, they have a short form complaint, so, you  
20 know, you are going to get caught up in the same issue.

21 MR. MONAHAN: I think perhaps they could argue  
22 that -- it's wrong, but they can argue that in response, but I  
23 do want to bring them in as a formal party and I'm just  
24 concerned --

25 THE COURT: Well, they know this now. Okay? The

1 special master, the discovery master knows this. You are  
2 going to get a lot of discovery within the next few days,  
3 within the next month or so, and I think if we can set a  
4 fairly expeditious process to get this issue resolved, the  
5 sooner you file your request for the Court to enter that  
6 pretrial order, and I would include both the individual  
7 claims, cases, as well as the master complaint process, and  
8 then they'll have two weeks to oppose that and with briefing.  
9 Then I'll give a week to respond to that.

10 So let's -- I mean, it's a little hard for me --  
11 let's say you file it tomorrow.

12 MR. MONAHAN: Let's say tomorrow.

13 THE COURT: Let me get my calendar out again. So  
14 tomorrow is the 15th. So two weeks would be the 29th of  
15 March. Their objection would have to come in, and then you  
16 would have to have your response to that by the 5th of April.

17 I'll ask the special master to take a quick look at  
18 that for me, and the special master can have something to the  
19 Court by the 9th would be great because we have a hearing  
20 about our conferences on the 11th of April. Then we can have  
21 some argument on it.

22 If it's as straightforward as you say, it should not  
23 be problematic. I can rule on it directly. If there are more  
24 complicated issues, I can hear from you and then I'll make a  
25 decision as soon as possible.

1           MR. MONAHAN: One last thing, Judge. I'm going to  
2 take one more shot at one thing, which is I don't believe that  
3 Proskauer is contesting at all that under Rule 14(a), we can  
4 file individual complaints in all of those individual  
5 proceedings bringing them in as a third party.

6           I think they're saying that because we're using a  
7 master tool, that it is different.

8           THE COURT: Is that true? Because if it's true, they  
9 can go ahead and file it.

10          MR. CABRAL: Your Honor, it is not exactly true. And  
11 we do have issues with the characterization of some of our  
12 positions here, as you might expect.

13          We're not going to necessarily argue the merits of  
14 our positions because we think the process you set out is a  
15 fair one and we can set forth our positions there.

16          With respect to the individual complaints, this is a  
17 situation where we have been previously told there were  
18 hundreds of complaints they were going to sue against us.

19          We asked for the plaintiff fact sheets. There's 94  
20 that have identified SoClean to this point, including a couple  
21 that say they used SoClean once.

22          When you look at the individual state breakdown of  
23 those individual plaintiffs, a lot of those states don't even  
24 allow for claims in contribution. So when you look at the  
25 individual complaints, you're looking at did they identify



1 SoClean? Did they bring a claim in a state where contribution  
2 is even allowed, and even in those states that allow for  
3 contribution, there are prohibitions on intentional torts and  
4 strict liability, et cetera.

5 So it really depends -- our position the entire time  
6 has been the appropriate time to do this would be when they  
7 answer the master complaint and there's a process for that.

8 Until now, as things stand right now, the pleadings  
9 are not settled. They have filed motions to dismiss as  
10 recently as Monday trying to eliminate a lot of the claims.  
11 We have not been told what claims they plan to assert against  
12 for contribution. They will not provide a draft of the  
13 complaint to us.

14 So with that said, I don't know how we would be in a  
15 position to agree to individual complaints when the pleadings  
16 are not settled, and a lot of things are left to be determined  
17 at this point.

18 MS. DUGGAN: Good afternoon, Your Honor. Sandra  
19 Duggan for the plaintiffs. If I could be heard on this issue.

20 The parties have worked very hard in this MDL for  
21 some time now to establish an orderly process for managing the  
22 hundreds of cases at issue, and it would be our preference in  
23 light of the fact that we have pretrial order 28B in place to  
24 put off this contribution issue until the Court rules on the  
25 current pending motion to dismiss.

1           Plaintiffs will be responding to that in the next few  
2 weeks. But I understand the Philips defendants --

3           THE COURT: Do you have an issue -- I mean, it  
4 doesn't really affect you.

5           MS. DUGGAN: Yes and no. So I understand that the  
6 Philips defendants are concerned about discovery deadlines,  
7 and there may be discovery needed on these contribution  
8 claims.

9           So if the question is the timing, and it is going to  
10 occur whenever it occurs, I feel very strongly that we cannot  
11 be having individual complaints filed in individual cases.  
12 That just does not make any sense.

13           The short form complaint that's currently pending  
14 contemplates in the process set forth in PTO 28B that certain  
15 issues are deferred. For example, choice of law, that will be  
16 determined down the road when there's a pool of cases selected  
17 for bellwethers, and because the law varies from state to  
18 state on contribution issues, the plaintiff should not be  
19 having to amend their short form complaint at the moment.  
20 Currently, anybody who had a case on file when we filed the  
21 second amended --

22           THE COURT: There won't be any amendments to the  
23 third-party complaints. We're going to go through the process  
24 that we've agreed upon. So it's only going to be with -- if  
25 there has to be -- the third party -- the third-party

1 complaint should not be filed in any individual case where a  
2 state does not permit contribution.

3 MS. DUGGAN: Well, what we suggest, Your Honor, is  
4 that there should be some language in the order, and we have  
5 suggested this to the parties, that the master complaint, if  
6 that's what they are going to file, which I think makes sense,  
7 will only apply to the cases where Philips intends to assert  
8 contribution claims, and those issues probably will not be  
9 decided right away because we don't know what choice of law is  
10 going to apply in any particular individual case, and  
11 depending on the law, that plaintiff may or may not want to  
12 have SoClean as a defendant.

13 So all I'm saying is I think we do not want to set  
14 the process that's in place into chaos, and we have to be very  
15 careful not to do that. It just would not make sense in terms  
16 of judicial resources, the parties' resources, and creating  
17 chaos.

18 THE COURT: Okay.

19 MR. MONAHAN: So we fully agree with not creating  
20 chaos, which is why we have tried to work out this PTO  
21 process.

22 I want to be sort of a little frank here, Judge, in  
23 terms of why we are doing this, and it seems to us, and we  
24 have heard more of it today, that SoClean has a lot of  
25 problems. SoClean doesn't have a lot of money. A lot of that

1 has obviously been taken by DW and its funds, and we don't  
2 really know what SoClean's intentions are. We know that a  
3 mediation failed. I heard something today about insurers are  
4 now disappearing. So we have some concerns.

5 THE COURT: They wouldn't be disappearing in the  
6 Philips case.

7 MR. CABRAL: Right.

8 THE COURT: So, because those are -- the contribution  
9 claims would be covered by insurance.

10 MR. CABRAL: Personal injury claims and insurance is  
11 an entirely different issue.

12 MR. MONAHAN: That's good to know. But still,  
13 there's some significant question marks as to what SoClean is  
14 going to be doing going forward, including in connection with  
15 the upcoming application, and there are certain preferences  
16 that can happen in proceedings if you have a complaint on file  
17 before certain other events occur.

18 And for that reason, I do believe it's important and  
19 significant that this not be delayed, and I would like to get  
20 at least some complaints on file to make them a party so that  
21 at least we do not hear the concept that they are a mere third  
22 party in this litigation anymore, so that they'll participate  
23 in discovery as a party, which they are.

24 THE COURT: Well, I've set an expedited process to  
25 permit a master third-party complaint to be filed, and if

1 you're successful in that, you'll know very quickly, you know,  
2 within a couple of weeks.

3 So I don't see what the -- what harm it would be to  
4 wait until that because if there's the master complaint, you  
5 don't need to worry about all of the individual complaints.

6 MR. MONAHAN: That would be great. We would love the  
7 master complaint --

8 THE COURT: So I can -- the Court has set this  
9 expedited process here to get this resolved so we can move  
10 forward.

11 Ms. Katz?

12 SPECIAL MASTER KATZ: Carole Katz, the discovery  
13 special master.

14 I just wanted to clarify what -- I assume you are  
15 referring to me --

16 THE COURT: Yes.

17 SPECIAL MASTER KATZ: -- and not Special Master  
18 Vanaskie.

19 THE COURT: Yes.

20 SPECIAL MASTER KATZ: What are you looking for from  
21 me?

22 THE COURT: I'm looking for a short R&R from you. If  
23 it's as simple as Mr. Monahan is telling me that the law is  
24 very clear, it should be easy. If it's not clear, you can  
25 just say there's significant issues. Maybe further briefing

1 is necessary. I don't know.

2 So, but if it's simple, then it should just be a very  
3 short R&R. "Yes," you know, "You don't need to wait for the  
4 answer to be filed, for a third-party complaint to be filed."  
5 It's going to be what it is, unless there's a big controversy  
6 among the circuits, but we'll be looking at our circuit  
7 because it's a procedural matter.

8 MR. MONAHAN: It doesn't come up too much, Judge, but  
9 where it does, it's allowed.

10 THE COURT: If it's too much work, you'll just let me  
11 know and we'll give you an extension.

12 SPECIAL MASTER KATZ: Okay.

13 THE COURT: I'm not intending -- I don't mean to make  
14 you work through the evenings. So hopefully it's something  
15 that's pretty straightforward.

16 SPECIAL MASTER KATZ: I'm not worried about the work.  
17 I just wanted to give you what you are looking for.

18 THE COURT: Right. It's really a question of timing.  
19 If they are able -- if they're permitted to file a third-party  
20 complaint for contribution, it may be a question of whether it  
21 can be done in all the states or in only certain of the cases.  
22 But we could try to make sure that whatever is done in the  
23 third party -- if it's a master complaint, it would only apply  
24 to those cases in which the applicable law would permit  
25 contribution, so just to make that clear.

1 MR. MONAHAN: Good.

2 SPECIAL MASTER KATZ: Thank you.

3 MR. MONAHAN: Thank you, Judge.

4 MS. DUGGAN: Thank you, Your Honor.

5 THE COURT: Okay. Update on the discovery process.

6 MR. SEELEY: Caleb Seeley from Seeger Weiss for the  
7 plaintiffs.

8 A brief update on the discovery we have been getting  
9 from Philips here this month in replacement for my colleague  
10 Ms. Itri. We continue to get documents. We continue to take  
11 depositions. There are a lot of us here today who we split  
12 the deposition of the former CEO Mr. van Houten to Wednesday  
13 and Friday so we could be here today.

14 And discovery continues. We continue to take any  
15 disputes, either work the matter among the parties or take  
16 them to Special Master Katz and are working cooperatively in  
17 those efforts and have no other issues for you at this time.

18 THE COURT: Thank you.

19 MS. FEINSTEIN: Thank you, Your Honor. Wendy West  
20 Feinstein with Morgan, Lewis on behalf the Philips RS.

21 We agree with Mr. Seeley's update on the discovery  
22 that the plaintiffs are seeking from the defendants in the  
23 litigation and just have a very brief update on discovery the  
24 defendants are seeking of both the personal injury plaintiffs  
25 and the medical monitoring plaintiffs.

1 Special Master Katz has been working very well with  
2 us through the challenges that we have been coming up against  
3 in both the personal injury discovery through our processes  
4 there with the PFSs, as well as the medical monitoring.

5 To just start with the PFS process, I know you heard  
6 from one of my colleagues at the last conference, Special  
7 Master Katz has one disputed issue that she's issued a report  
8 and recommendation, and we will be filing just very targeted  
9 objections just to suggest adding some teeth to require the  
10 plaintiffs when they -- if they do proceed and re-file after  
11 being dismissed without prejudice, that they should be  
12 required to file their PFS in a complete way within some  
13 period of time, and we'll suggest that in our objections, but  
14 I wanted to alert both the special master and Your Honor that  
15 that would be coming. But Special Master Katz has been very,  
16 very helpful in that process.

17 Turning to the medical monitoring process with the  
18 named medical monitoring plaintiffs --

19 SPECIAL MASTER KATZ: Can I just --

20 MS. FEINSTEIN: Oh, sure.

21 SPECIAL MASTER KATZ: -- comment on that?

22 MS. FEINSTEIN: Absolutely.

23 SPECIAL MASTER KATZ: That wasn't something we  
24 addressed. Now, that's because you didn't know that I was  
25 going to recommend it be without prejudice.



1 MS. FEINSTEIN: Right.

2 SPECIAL MASTER KATZ: But I'm going to suggest before  
3 you file objections, that we have a meet and confer about  
4 that.

5 MS. FEINSTEIN: Absolutely. Yeah, that would be  
6 fine. And I just learned that this morning, Special Master  
7 Katz, so I just wanted to raise it. But, yeah, it would only  
8 be on that issue.

9 So if we can meet and confer and reach some agreement  
10 with the parties, perhaps we can address it that way. That  
11 would be great. Thank you.

12 Turning to the medical monitoring discovery of the  
13 named class plaintiffs in the medical monitoring track of the  
14 litigation, Special Master Katz has been very extremely  
15 helpful in that process, which has become much more  
16 challenging than I think we anticipated.

17 The productions have been very slow. Scheduling  
18 depositions has been a challenge. You heard from the LDC  
19 report this morning that those depositions have started and,  
20 you know, we are beginning those depositions despite the fact  
21 that we don't yet have complete medical records from the named  
22 plaintiffs.

23 So that process is continuing, and Special Master  
24 Katz has been very helpful in scheduling those depositions and  
25 helping us get documents, but I just wanted to report to the

1 Court that it continues to be a challenge from the defendant's  
2 perspective.

3 MS. IVERSON: Good morning, Your Honor. Kelly  
4 Iverson on behalf of plaintiffs.

5 It has been 44 days, 31 business days since you  
6 issued your order requiring certain medical records of the  
7 plaintiffs be produced, as well as certain interrogatories be  
8 answered.

9 We have been working diligently on that herculean  
10 task to provide all the provider information for the past 10  
11 years for the 62 named plaintiffs and to obtain those medical  
12 records. We have all of the records with our vendor on a rush  
13 status, and they have been working to make sure that those  
14 requests are a priority.

15 We have staffed up for our review of those records  
16 and have been making productions two times per week to  
17 defendants, and we will continue to do so as records come in.

18 While we're doing everything we can to expedite the  
19 production, we naturally remain at the mercy of the providers  
20 with respect to getting those records.

21 While not all the records have been received,  
22 defendants have elected to proceed with the depositions in  
23 light of the April 30th discovery deadline. We have 62  
24 medical monitoring plaintiffs in I think 39 different states  
25 and territories. The first two depositions occurred

1 yesterday.

2 We have a third of the plaintiffs scheduled and are  
3 working to schedule the balance of the plaintiffs throughout  
4 April, with the parties already agreeing that there could be  
5 multiple depositions per day as needed to do our best to meet  
6 that April 30th deadline.

7 And I agree with my colleague here that Special  
8 Master Katz has been fantastic in helping the parties address  
9 any issues. We have had time set aside on our weekly call  
10 with her and additional calls that she has set up in order to  
11 work with the parties on scheduling and coordinating as we go  
12 through this process. Thank you, Your Honor.

13 MS. FEINSTEIN: Thank you.

14 THE COURT: Thank you. I think we're onto the census  
15 registry.

16 MS. FEINSTEIN: I should have just stayed up here,  
17 Your Honor. Wendy West Feinstein again on behalf of  
18 Philips RS.

19 As of yesterday, the census registry included 57,370  
20 registrants.

21 MS. DUGGAN: Good afternoon. Again, our number is  
22 slightly less than that, but it's in that range. 57,168 and  
23 that was --

24 THE COURT: There was a recent influx of cases coming  
25 in, too, on the docket, not on the registry, but actual

1 complaints being filed. So I've seen a number of those over  
2 the last couple days.

3 MS. DUGGAN: So, Your Honor, I've noticed that as  
4 well. Just in the last 48 hours, there was an onslaught of  
5 filings. It was all by one law firm. I have reached out to  
6 that counsel. That counsel is the same counsel that  
7 represents the Kentucky plaintiff who opposed the stay on the  
8 remands, and I think there may be a misunderstanding or not  
9 awareness of the tolling agreement that's in place with the  
10 Philips defendants. It was set forth in the order that's  
11 pending that it would last for 18 months, but it could  
12 certainly continue. The Philips defendants are not obligated  
13 to continue beyond the 18 months, but they have not terminated  
14 the agreement. In fact, if they did, they would have to give  
15 plenty of notice to the plaintiffs, and I don't think that  
16 message has gotten out.

17 We are going to be telling all the plaintiffs'  
18 counsel the tolling agreement has not ended, it's still in  
19 place, and so that people don't feel obligated --

20 THE COURT: Is that correct? I'm looking at --

21 MR. MONAHAN: It is.

22 THE COURT: -- the defendants. Okay.

23 MS. DUGGAN: I think there just may be people  
24 thinking that they have to take their clients and file  
25 actions.

1 THE COURT: Okay.

2 MS. DUGGAN: So in order to avoid that, we are going  
3 to be getting this message out today. I've already spoken  
4 with our liaison counsel and he'll be sending out a blast  
5 email to let them know that.

6 THE COURT: Okay. Thank you.

7 I have a couple things before we get to the  
8 leadership development. First of all, I have seen a request  
9 for a 50-page briefing on the objections. So that strikes me  
10 that maybe there will be some extensive or need for additional  
11 timing for the fairness hearing. Is that correct?

12 MS. DUGGAN: So if I could clarify. Sandra Duggan  
13 again, Your Honor.

14 The preliminary approval order asks settlement class  
15 counsel to file their motion in support of final approval of  
16 the economic loss settlement 21 days in advance of the  
17 fairness hearing. The order also asks us to respond to  
18 objections within 14 days of the fairness hearing.

19 After reviewing the objections, we thought it made a  
20 lot more sense to combine both briefs and only file one brief  
21 with the Court --

22 THE COURT: Okay.

23 MS. DUGGAN: -- that's in support of the final  
24 approval and also address the objections. So I think  
25 currently there's may be one objector who requested to appear

1 at the hearing in person.

2 THE COURT: Okay.

3 MS. DUGGAN: I don't think we'll need more than two  
4 hours. I think we're okay on it, and as you'll read in our  
5 brief that we're filing next week, we think all the objections  
6 should be overruled. There's no merit to them.

7 THE COURT: Okay. Thank you. And there was no new  
8 timeline filed, but there's going to be a number -- there's a  
9 number of new things that have come up, re-setting some  
10 timeframes. So for our next hearing, make sure you have an  
11 updated timeline filed.

12 I think then, absent anything else, we're onto our  
13 leadership development committees. Anybody wish to be heard?

14 MS. HARRISON: Good afternoon, Your Honor. Kathryn  
15 Harrison of Campbell & Levine is here today on behalf of the  
16 plaintiffs and the LDC committee to give you an update.

17 Over the last few months, with not only the extensive  
18 help of our four lead counsel, but also I would point out the  
19 gracious time and effort of several senior attorneys in their  
20 firms, Attorney Noah, who is here today, and Attorneys Beena  
21 McDonald and Keith Verrier, we have really had a robust  
22 communication process, and I would tell you that I think that  
23 the LDC is as robust as it has been since the litigation  
24 started. Not only are we now all participating in the work of  
25 our various committees, we're also able to get updates on a

1 regular basis of what's happening in the litigation as a  
2 whole. We're also participating in the depositions. I myself  
3 was in a rather lengthy one yesterday and it was a great  
4 experience to be a part of.

5 And I think that what we have also been able to  
6 communicate with lead counsel and others is sort of on an  
7 individual basis, each one of us, how we see our role in this  
8 committee and how we see it as a benefit to us going forward  
9 in our career and how we can be involved in MDLs going  
10 forward, which I think Your Honor sort of expressed was one of  
11 the goals of being on this committee, and so I'm quite  
12 thankful to the leads for that, and I always thank my mentor.  
13 I think he's phenomenal and he's here today, too, Mr. Stroyd.

14 So, you know, for me personally, I think it's really  
15 opened up a lot of doors. As Your Honor knows, my background  
16 is in the mass tort world in bankruptcy, and I think this has  
17 been just an incredible opportunity to see this side of it and  
18 see how, you know, going forward in my career I can see these  
19 things fit together. So I appreciate it very much.

20 THE COURT: Thank you.

21 MS. HARRISON: Thank you.

22 THE COURT: Any other young lawyer wish to be heard?  
23 Okay. Well, there's a lot of work to be done over the next  
24 few weeks in the period of time, and I may be seeing you on  
25 April the 9th, maybe not, and we'll move forward with the

1 other hearings that are coming up, and particularly the  
2 fairness hearing coming up. That will be a milestone in this  
3 case. So thank you all.

4 THE LAW CLERK: All rise.

5 (The hearing concluded.)

6 C E R T I F I C A T E

7 I, VERONICA R. TRETTEL, RMR, CRR, certify that  
8 the foregoing is a correct transcript from the record of  
9 proceedings in the above-entitled case.

10 \s\ Veronica R. Trettel  
11 VERONICA R. TRETTEL, RMR, CRR  
12 Official Court Reporter

03/16/2024  
Date of Certification

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