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14 Attorneys for Plaintiff
15 MARY JOHNSON

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

16 MARY JOHNSON,
17 Plaintiff,

18 v.

19 JOHN CUCKLER, M.D.; ALABAMA
20 MEDICAL CONSULTANTS, INC.;
21 BIOMET, INC.; BIOMET
22 ORTHOPEDICS, LLC; BIOMET U.S.
23 RECONSTRUCTION, LLC; AND BIOMET
24 MANUFACTURING, LLC;
25 Defendants.

Case No. 2:19-cv-00534-GMN-GWF

Complaint Filed: May 09, 2017
Transferred: March 29, 2019

**JOINT MOTION TO EXTEND STAY PENDING
PARTICIPATION IN SETTLEMENT PROGRAM**

26 The Parties, through counsel, respectfully request that the Court enter an order extending the
27 stay in this matter through and including February 28, 2021, to allow the Parties herein to complete
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1 their participation in a settlement program. In support, the Parties state as follows:

2 1. The above-captioned action is one of a number of cases pending across the country
3 involving the Biomet M2a hip replacement system.

4 2. As the Court knows, Plaintiff's and Defendants' counsel have reached an agreement
5 on a settlement program.

6 3. Counsel believe this settlement program is the most efficient method to provide an
7 opportunity to resolve all of the cases without the resource-intensive case-by-case trial workup that
8 has historically taken place to resolve any previous suits between counsel. In an effort to avoid the
9 time and expense, the Parties' agreement calls for a neutral third party to review eligible claimant's
10 medical records and make allocations, which serve as settlement offers.

11 4. Due to the number of claims, the number of different jurisdictions involved, the
12 varying stages of litigation for each case, and the work necessary to review the claims and make
13 settlement offers, the program has taken and will continue to take many months to work through.

14 5. The above-captioned matter is currently successfully engaged in participation in the
15 settlement program and the parties desire to continue the settlement process.

16 6. The Parties' respectfully request that the Court extend the stay this case including all
17 deadlines through and including February 28, 2021 to allow the Parties an opportunity to continue
18 participation in the settlement program and, potentially, resolve this matter without further Court
19 involvement.

20 7. To the extent the Parties have not resolved and/or dismissed this matter by then, the
21 Parties agree to file a Notice of Case Status within fourteen (14) days of February 28, 2021 to apprise
22 the Court of the status of settlement negotiations and, if necessary, request a Case Management
23 conference to schedule deadlines in this Matter.

24 8. This request is made in good faith and is not for purposes of undue delay. No party
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1 will be prejudiced by the granting of the requested stay. The parties agree that a stay would best
2 conserve the parties' and Court's resources.

3 WHEREFORE, the Parties respectfully request that the Court enter an order extending the
4 stay in this matter through February 28, 2021.
5

6 Dated: November 16, 2020

7 *By: /s/ Lindsay K. Cullen, Esq.*
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20 *Attorneys for Plaintiff*

CERTIFICATE OF SERVICE

21 I hereby certify that on November 16, 2020, I electronically filed the foregoing document
22 with the Clerk of the Court using CM/ECF system which will send notification of such filing to all
23 attorneys of record.
24

25 */s/Jodi Farr*
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

15 MARY JOHNSON,)
16)
17 Plaintiff,)
18 v.)
19 JOHN CUCKLER, M.D.; ALABAMA)
20 MEDICAL CONSULTANTS, INC.;)
21 BIOMET, INC.; BIOMET)
22 ORTHOPEDICS, LLC; BIOMET U.S.)
23 RECONSTRUCTION, LLC; AND BIOMET)
24 MANUFACTURING, LLC;)
25 Defendants.)
26)
27)
28)

Case No. 2:19-cv-00534-GMN-GWF

Complaint Filed: May 9, 2017
Transferred: March 29, 2019

**ORDER GRANTING JOINT MOTION TO EXTEND STAY PENDING
PARTICIPATION IN SETTLEMENT PROGRAM**

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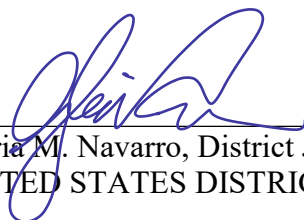
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This matter came before the Court on the Parties' Joint Motion to Extend Stay Pending Participation in Settlement Program. The Court having considered said Motion and being duly advised in the premises now finds and orders as follows:

1. The Parties' Joint Motion to Extend Stay is hereby GRANTED through and including February 28, 2021;

2. In the event this case is not resolved or dismissed by February 28, 2021, the parties shall file a Notice of Case Status within fourteen days of February 28, 2021 apprising the Court of the status of settlement negotiations and if necessary, request a Case Management Conference to set new deadlines in this matter.

DONE AND ORDERED this 16 day of November, 2020.



Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT

Copies to:
All Parties of Record via Electronic Service