

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE:

ZIMMER M/L TAPER HIP PROSTHESIS OR M/L TAPER  
HIP PROSTHESIS WITH KINECTIV TECHNOLOGY AND  
VERSYS FEMORAL HEAD PRODUCTS LIABILITY  
LITIGATION

MDL No. 2859

18-MD-2859 (PAC)

18-MC-2859 (PAC)

**Order No. 65**

*This Document Relates to All Actions*

**ORDER FOR EXTENSION OF DEADLINES FOR THE SECOND BELLWETHER  
POOL SELECTION AND PROCESS**


Upon consideration of the parties' agreed-to proposed amended schedule regarding deadlines for the Second Bellwether Pool Selection and Process and in order to allow Plaintiffs' counsel additional time to obtain *Lexecon* waivers or objections from their clients, this Court extends all deadlines for the Second Bellwether Pool Selection and Process contained in Order 64 (Section VI, ¶ 17) by one week. Accordingly, the new schedule is set forth as below:

| <b>Event</b>                                                                                                                                                                                          | <b>Date</b>                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Deadline for parties to file <i>Lexecon</i> Objections:                                                                                                                                               | March 1, 2022                |
| Deadline for parties to submit Second Bellwether Pool Eligibility list to the Court consisting of all cases that waive <i>Lexecon</i> and satisfy the inclusion criteria set forth in ¶8 of Order 64: | March 4, 2022                |
| Court to randomly select 16 cases (8 from Category One and 8 from Category Two) for inclusion in the Second Bellwether Pool at the status conference:                                                 | March 7, 2022 at 4:00 pm ET  |
| Deadline for parties to file Notices of Bellwether Strikes:                                                                                                                                           | March 21, 2022 by 5:00 pm ET |
| Deadline for parties to file briefs on which four cases should be selected by the Court as the Second Bellwether cases:                                                                               | March 31, 2022               |

|                                                                                                                                                                |                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Commencement of case-specific fact discovery for the Second Bellwether cases:                                                                                  | The date the four second Bellwether cases are selected by the Court              |
| Close of case-specific fact discovery for the Second Bellwether cases and deadline for the parties to submit letter briefs proposing the order of those cases: | 120 days after the second bellwether trial pool cases are selected by the Court. |

SO ORDERED.

Date: February 22, 2022  
New York, New York

  
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Paul A. Crotty  
United States District Judge