

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE: DEPUY ORTHOPAEDICS,	§	
INC. PINNACLE HIP IMPLANT	§	MDL Docket No.
PRODUCTS LIABILITY	§	
LITIGATION	§	3:11-MD-2244-K
	§	
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This Document Relates to all Cases	§	
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ORDER REGARDING CASES REMOVED FROM STATE COURT

As memorialized in Section VI. of Case Management Order No. 5, the Court previously extended the deadline for filing motions to remand and stayed all pending or future motions to remand pending further order from the Court. This order supersedes any contradictory portions of Case Management Order No. 5 and any previous agreements among counsel.

It has become apparent that motions to remand which were filed in transferor courts and remain pending before this Court, as well as those which are expected to be filed in this Court, will raise overlapping challenges to this Court’s subject matter jurisdiction. In order to resolve these jurisdictional issues promptly and efficiently, it is hereby ORDERED that:

1. For all cases transferred to this Court on or before August 10, 2012, all remand motions shall be filed by September 4, 2012. Defendant shall serve its response to any timely filed remand motions by September 25,

2012, and Plaintiff may file a reply by October 9, 2012.

2. For all cases transferred to this Court after August 10, 2012, all remand motions shall be filed no later than 21 days after the date the case is transferred to this Court. Defendant shall serve its response to any timely filed remand motion within 21 days, and Plaintiff may file a reply within 14 days.
3. All pending and future motions to remand are hereby REFERRED to the Special Master, James M. Stanton, for report and recommendation. The parties are directed to send the Special Master an electronic copy of their motion, responses, replies, briefs, and appendices.
4. Upon the filing of a motion to remand in a specific case, the Court hereby STAYS that case until the Special Master provides his report and recommendation, and the Court rules upon the objection, if any, to the report and recommendation. The Special Master is instructed to promptly provide his report and recommendation on pending motions.
5. By the last business day of each month, the Defendant shall provide the Special Master a list of all cases with pending remand motions. The case listing shall include the following information: the style of the case, the current court (either this Court or the other federal district court where the case is pending), the docket number in the current court, the original

federal district court where the case was removed, the docket number in the original federal district court where the case was removed, and the name of the plaintiff's counsel and plaintiff's firm.

6. The Clerk is DIRECTED to file this order in those cases that were removed from State Court, and are now pending as tag-a-long actions in MDL-2244.

SO ORDERED.

Signed August 14, 2012.



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UNITED STATES DISTRICT JUDGE