

To accomplish that goal, it is hereby ORDERED that:

(1) The plaintiffs listed on attached Exhibit 1 shall have the attached Plaintiff's Expert Declaration of Causation (Exhibit 2) completed by an orthopedic surgeon, and shall send the completed and signed form to lead counsel for the Plaintiffs' Steering Committee by March 29, 2017, at the following address:

Biomet MDL Plaintiffs' Steering Committee
Attn: Brenda S. Fulmer, Esq.
Searcy Denney Scarola Barnhart & Shipley
2139 Palm Beach Lakes Blvd.
West Palm Beach, FL 33409

Failure to complete and return the Expert Declaration by the March 29 deadline will result in dismissal of your case *with prejudice*.

(2) The Plaintiffs' Steering Committee shall immediately forward to Biomet's counsel the Expert Declarations as they are received.

SO ORDERED.

ENTERED: December 15, 2016

/s/ Robert L. Miller, Jr.
Judge, United States District Court
Northern District of Indiana

EXHIBIT 1 - METAL-ON-POLYETHYLENE CASES

1	3:15cv491	GLYNN, David and Jeanne
2	3:16cv493	HODGE, Sandra and William
3	3:15cv425	JUST, Leroy
4	3:14cv1651	NELSON, Patricia and Willie
5	3:16cv115	WHITE, John

10. I can state to a reasonable degree of medical certainty that Plaintiff's metal-on-poly implant (*specify: had some actionable defect, was not designed in accordance with the state of the art, was not adequately described in Biomet's Instructions for Use*).

11. The basis for my opinions in paragraph 8 is (specify the grounds for your opinion, including specific records reviewed or medical literature; provide an attachment if necessary): _____

12. The basis for my opinions in paragraph 9 is (specify the grounds for your opinion, including specific records reviewed or medical literature; provide an attachment if necessary): _____

13. In forming my opinion in paragraph 9, I considered the following possible alternate causes of the injury or injuries listed in paragraph 8: _____

14. I have ruled out the possible alternate causes listed in paragraph 13 because: _____

15. The basis for my opinions in paragraph 10 is (specify the grounds for your opinion, including specific records reviewed or medical literature; provide an attachment if necessary): _____

I hereby declare under the penalty of perjury that the foregoing is true and correct.

Executed on: _____

Surgeon Declarant's Signature