

[February 2010: Levaquin MDL Bellwether, Or Test, Cases Selected For First Trials](#)

Six Plaintiffs Selected From Among The 300 Levaquin Lawsuits Filed To Date In Federal Court System

(Posted by Tom Lamb at www.DrugInjuryWatch.com on March 1, 2010; see <http://bit.ly/9KIHC>)

At a February 12, 2010 Status Conference, U.S. District Judge John R. Tunheim received an update about the number of lawsuits in the federal court multi-district litigation, or MDL -- known as *In re: LEVAQUIN PRODUCTS LIABILITY LITIGATION*, MDL No. 08-1943 (JRT) -- and in certain state courts around the country.

The [Minutes from this February 12, 2010 Status Conference for the Levaquin MDL](#) provide this summary of that information:

The parties indicated that there are currently 300 MDL cases, with 11 additional cases awaiting transfer and approximately 4 or 5 that the parties anticipate will be removed and transferred soon. There are also 124 New Jersey state court cases, one state court case in Iowa that will be removed, four state court cases in Illinois, and one state court case in New York.

As reported previously, [the growing number of Levaquin lawsuits filed in New Jersey have been given a "mass tort" designation](#) which, in effect, operates as a state court MDL for the Levaquin litigation there.

Also [on February 12, 2010, Judge Tunheim issued Pretrial Order #6](#), in which he identified the six so-called "bellwether", or test, cases which will be the subject of the first Levaquin lawsuits to go to trial in the federal court MDL. In particular, the following cases were listed therein:

- *Sharon Johnson v. Johnson and Johnson*, No. 06-3728
- *Calvin Christensen v. Johnson and Johnson*, No. 07-3690
- *Richard Kirkes v. Johnson and Johnson*, No.07-1862
- *John Schedin v. Johnson and Johnson*, No.085734
- *Edward Karkoska v. Johnson and Johnson*, No. 07-3690
- *Eugene Martinka v. Johnson and Johnson*, No. 08-5754

This Pretrial Order #6 stated that these six Levaquin bellwether case should be "trial ready" by October 30, 2010. Judge Tunheim, however, left unanswered some important questions about these first federal court Levaquin trials, namely:

Which cases shall be tried, in what sequence, and whether they shall be tried individually or on a consolidated basis shall be decided at a later date.

Of course, we will continue to monitor this federal court Levaquin MDL for further developments regarding these six bellwether cases.

Attorney [Tom Lamb](#) represents people in personal injury and wrongful death cases involving unsafe prescription drugs or medication errors. The above article was posted originally on his blog, **Drug Injury Watch** – with live links and readers' Comments.

<http://www.DrugInjuryWatch.com>