

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:
All Actions

**STIPULATION REGARDING *DE
BENE ESSE* REPORT AND
DEPOSITION OF DR. WILLIAM
JARVIS**

The parties stipulate as follows:

1. Plaintiffs designated Dr. William Jarvis as an expert in the areas of infectious disease, healthcare epidemiology, infection control, and pediatrics.
2. Dr. Jarvis' expert report detailing the evidence on which he relies to support his opinion that the Bair Hugger patient warming system is capable of causing periprosthetic joint infection, from a general causation standpoint, is attached as Exhibit A.
3. Dr. Jarvis' curriculum vitae is attached as Exhibit B.
4. Dr. Jarvis' list of depositions and trial testimony is attached as Exhibit C.
5. Dr. Jarvis' Index of Materials Considered is attached as Exhibit D.
6. Dr. Jarvis' deposition was taken in the *Kelso v. 3M Company; Et Al.* matter pending in Harris County, Texas, on February 13, 2026. A copy of that transcript is attached as Exhibit E.

7. The parties hereby stipulate that Dr. Jarvis' deposition taken in the *Kelso v. 3M Company; Et Al.* matter may be used as the *de bene esse* deposition permitted by Order of this Court. (Doc. 2874) Provided, however, that this stipulation shall not be construed as a waiver of any objection to the admissibility of any testimony found within the *Kelso* deposition. Moreover, the parties agree that all references to Mr. Kelso or other specific plaintiffs shall be removed, redacted, and/or silenced during use of the *Kelso* deposition in future trials.

Dated: May 15, 2026

Respectfully submitted,

s/Benjamin W. Hulse

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