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**IN RE: PELVIC MESH/BARD  
LITIGATION**

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**SUPERIOR COURT OF NEW JERSEY**

**LAW DIVISION: BERGEN COUNTY**

**CASE NO. 292**

**MASTER DOCKET NO.: BER-L-17717-14**

**CIVIL ACTION**

**CASE MANAGEMENT ORDER #20**

**FILED**

**NOV 03 2016**

**James J. DeLuca, J.S.C.**

All prior orders remain in full force and effect except as modified by this Order.

**THIS MATTER** having been reassigned to the Bergen County Vicinage, from Atlantic County, pursuant to the Supreme Court's Order of October 31, 2014; having conducted a CMC; counsel appearing; for good cause shown and for the reasons set forth on the record;

**IT IS** on this 3<sup>rd</sup> day of November 2016, **ORDERED** as follows:

**PART I**

**I. ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE**

A. Case Management Order No. 19, entered September 29, 2016

**PART II**

**II. COMPLIANCE WITH PRIOR ORDERS**

**A. Case Management Order No. 19**

1. The parties submitted their complete list of the cases selected in the Bellwether pool. In connection with Plaintiffs' requests for additional discovery, the parties have continued to meet and confer on these issues. On October 3, 2016, Bard provided a list of the 30(b)(6) deponents and the deposition notices. Additionally, on Monday, October 24, 2016, Plaintiffs provided a list of other items that still require attention. Bard responded to this letter on Monday, October 31, 2016 and opposed the request for additional discovery.

## PART III

### III. CASE MANAGEMENT

#### A. Status of Bard Cases

1. Discovery Issues:
  - i. The Parties will meet and confer on the discovery issues.
  - ii. The Parties will submit a status report which will be submitted on or before December 1, 2016.
  - iii. If discovery issues still exist, Parties will submit a letter brief on their prospective positions on or before December 8, 2016.
2. Bellwether cases:
  - i. Choice of Law: Parties will meet and confer and submit position papers to the Court.

#### B. Status of Covidien Cases

1. The Parties continue to discuss settlement. There are 155 cases remaining in New Jersey.

C. **Alystock Motions:** These motions will be adjourned to November 18, 2016.

#### D. MDL Status Report

## PART IV

### IV. GENERAL

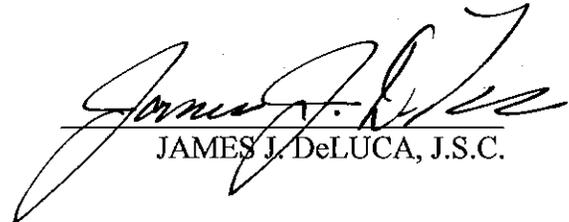
1. The next Case Management Conference is scheduled for December 15, 2016 at 11:00 a.m. Liaison Counsel shall report at 10:30 a.m. to Courtroom 401. **Counsel shall submit a proposed agenda seven (7) days prior to this Case Management Conference.**
2. By consent of all parties, the court may contact or be contacted on an *ex parte* basis regarding settlement issues only.
3. The court may, from time to time, conduct phone conferences with defense counsel and liaison counsel.
4. Subject to agreement by and between counsel and with permission from the Court, counsel is permitted to appear telephonically; in order to have your appearance on

the record, it is counsel's responsibility to e-mail liaison counsel and the court reporter at least one hour before the proceeding with your name, firm, and party representing, indicating that you intend to appear by phone; in addition, you must confirm your appearance, immediately following the proceeding. Absent the above, counsel's appearance will not be noted.

5. The official record shall be the transcript provided by the court reporter retained by counsel. The reporter shall preserve all proceedings and shall email a transcript of any court proceeding to the court within 14 days of the proceeding.
6. Counsel is permitted to serve one motion with a schedule of attached cases for *pro hac* admission. However, a separate order per case/docket number and filing fees is required.
7. The Court directs all counsel to R.1:4-8 and expects all counsel to abide by the parameters set forth therein.
8. All Court proceedings will start at the designated scheduled time. Counsel is expected to arrive promptly for these proceedings.
9. Counsel shall provide the Court with their preferred e-mail address by e-mailing same to Jamie Colaneri at [Jamie.Colaneri@njcourts.gov](mailto:Jamie.Colaneri@njcourts.gov) and Sean Hanratty at [Sean.Hanratty@njcourts.gov](mailto:Sean.Hanratty@njcourts.gov).
10. Counsel shall copy their co-counsel and all adversaries on all e-mails and other electronic correspondence submitted to the Court [COUNSEL IS PROHIBITED FROM FILING ANY PLEADING ELECTRONICALLY]. Any such submission received after 4:30 p.m. will be deemed received at 9:00 a.m. on the next day Court

is in session. Any such submission received after 4:30 p.m. on a Friday or over a weekend, will be deemed received on 9:00 a.m. on the next day Court is in session.

11. Counsel is directed to contact The Superior Court of New Jersey, Attorneys Accounts: P.O. Box 980, Hughes Justice Complex, 25 W. Market Street, Trenton, New Jersey 08625 (609) 633-8643 to establish a collateral account for any filing fees within seven (7) days.
12. Counsel is required to check the Judiciary's Web Site dedicated to this matter for any decisions/Orders/information contained therein.
13. A copy of this Order and any subsequent Orders to the Court will be posted on the Judiciary Web Site.



JAMES J. DeLUCA, J.S.C.