

---

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

---

**SUPERIOR COURT OF NEW JERSEY**

**LAW DIVISION: BERGEN COUNTY**

**CASE NO. 291**

**MASTER DOCKET NO.: BER-L-11575-14**

**CIVIL ACTION**

**AMENDED CASE**

**MANAGEMENT ORDER #52**

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

**FILED**

**MAR 15 2019**

**RACHELLE L. HARZ  
J.S.C.**

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

**IT IS** on this 15<sup>th</sup> day of March 2019, **ORDERED** as follows:

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

- A. Case Management Order #51, entered on January 31, 2019
- B. Dill, et al. v. Ethicon, Inc., BER-L-013428-14: Order Granting the Motion for attorneys for Plaintiffs to be relieved as counsel, entered on February 1, 2019
- C. Duran v. Ethicon, Inc., BER-L-005163-18: Consent Order to File First Amended Complaint, entered on February 11, 2019

**II. COMPLIANCE WITH PRIOR ORDERS**

- A. Case Management Order #51 entered on January 31, 2019
- B. TVT-O Pre-Trial Scheduling Order (Third Amended), entered on January 7, 2019
- C. Prolift/Tennessee Plaintiff Pre-Trial Scheduling Order, entered on January 9, 2019

### III. CASE MANAGEMENT

#### A. Next trial

##### 1. Case Selection

a. Status of the Tennessee Plaintiff Prolift cases the Court has selected for a June 3, 2019 trial date. Defense counsel has informed the court that pretrial motions are on track to begin being submitted on April 18, 2019:

1. Hansen, Sandra L. Darrah Pierce, (BER-L-010623-14), Mazie Slater
2. McKnight, Stacie J. Miller, (BER-L-010227-14), Bernstein Liebhard; Law Offices of Jan Meyer & Associates
3. Tays, Carolyn Atkinson, (BER-L-011577-14), Bernstein Liebhard
4. Susong, Nancy Justice (BER-L-000793-15), Bernstein Liebhard; Law Offices of Jan Meyer & Associates

b. Defendants have proposed a stipulation regarding evidence of degradation of plaintiff's consideration.

B. Status of the TVT-O cases the Court has selected for a October 15, 2019 trial date: Defense counsel has informed the court that they continue to work up these matters and have no major issues to report.

1. Reyes, Yvette Castruita Ramirez (BER-L-012431-14), Bernstein Liebhard; Law Offices of Jan Meyer & Associates
2. Burgess, Laray & James, BER-L-006902-15, Kline & Specter
3. Detrick, Teri, BER-L-007144-15, Law Offices of Jan Meyer and Bernstein Liebhard
4. Farnsworth, Cheri Lynn & Leland, BER-L-014433-14, Hecht Kleeger and Oshman & Mirisola

#### C. Miscellaneous

a. Plaintiffs wish to discuss an "Order providing for dismissal without prejudice of non-revision cases." The parties have not met and conferred on this request and Defendants do not believe it is appropriate to discuss anything substantive on this topic until such a meet and confer takes place. The parties have agreed to meet and confer regarding this issue.

- b. Wilma Wilson Case. Death of Plaintiff issue (agenda item added as per request of the Court). The court attempted to contact counsel for Wilma Wilson during the CMC. The Judge left a voicemail for counsel and will follow up before the next CMC.

#### IV. GENERAL

1. The next Case Management Conference is scheduled for Thursday April 25 at 10:30 am in courtroom 359. Liaison counsel shall report at 9:30 am. **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.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.

  
\_\_\_\_\_  
RACHELLE L. HARZ, J.S.C.