

**FILED**

**NOV 28 2017**

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

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Attorneys for Defendants,  
Ethicon, Inc. and Johnson & Johnson

ELIZABETH HRYMOC AND TADEUSZ  
HRYMOC,

Plaintiffs,

vs..

ETHICON, INC., ETHICON  
WOMEN'S HEALTH AND UROLOGY,  
a Division of ETHICON, INC.,  
GYNECARE, JOHNSON & JOHNSON,  
and JOHN DOES 1-20,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - BERGEN COUNTY  
DOCKET NO. BER-L-13696-14 MCL

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

CIVIL ACTION

In re Pelvic Mesh/Gynecare  
Litigation  
Case No. 291

**ORDER MEMORIALIZING THE COURT'S RULINGS PLACED ON THE RECORD  
ON NOVEMBER 16, 2017**

THESE MOTIONS having been brought before the Court respectively by Plaintiffs Elizabeth Hrymoc and Tadeusz Hrymoc ("Plaintiffs"), through their counsel Mazie Slater Katz & Freeman, LLC, and Defendants Ethicon, Inc. and Johnson & Johnson ("Defendants"), through their counsel Riker Danzig Hyland Perretti LLP, seeking Orders on: Defendants' Case-Specific Motion For Summary Judgment; Plaintiffs' Motion For Partial

Summary Judgment on TVT-O Warnings; Plaintiffs' Motion For Partial Summary Judgment on Prolift Warnings; Defendants' Motion For Partial Summary Judgment Based on Conflict Preemption; Defendants' Motion For Partial Summary Judgment on Punitive Damages; Plaintiffs' Motion to Exclude Defense Expert, Elizabeth Kavaler, M.D.; Defendants' Motion to Exclude Plaintiffs' Expert, Anne Weber, M.D.; Defendants' Motion to Exclude Plaintiffs' Expert, Richard Bercik, M.D.; Defendants' Motion to Exclude Plaintiffs' Expert, Bruce Rosenzweig, M.D.; Plaintiffs' Motion to Exclude Defense Expert, Thomas Wright, M.D.; and the Court having considered the moving and opposition papers; and for good cause shown;

IT IS on this 17th day of November, 2017, ORDERED that:

1. Defendants' Case-Specific Motion For Summary Judgment is DENIED;
2. Plaintiffs' Motion For Partial Summary Judgment on TVT-O Warnings is DENIED;
3. Plaintiffs' Motion For Partial Summary Judgment on Prolift Warnings is DENIED;
4. Defendants' Motion For Partial Summary Judgment Based on Conflict Preemption is DENIED;
5. Defendants' Motion For Partial Summary Judgment on Punitive Damages is DENIED;

6. Plaintiffs' Motion to Exclude Defense Expert, Elizabeth Kavaler, M.D., is DENIED;
7. Defendants' Motion to Exclude Plaintiffs' Expert, Anne Weber, M.D., is DENIED;
8. Defendants' Motion to Exclude Plaintiffs' Expert, Richard Bercik, M.D., is DENIED;
9. Defendants' Motion to Exclude Plaintiffs' Expert, Bruce Rosenzweig, M.D., is DENIED;
10. Plaintiffs' Motion to Exclude Defense Expert, Thomas Wright, M.D., is DENIED;

IT IS FURTHER ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of its receipt by counsel.



Hon. Rachelle Lea Harz, J.S.C.

Opposed  
 Unopposed