

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY

FILED  
MAR 13 2025  
GREGG A. PADOVANO, J.S.C.

IN RE: ALLERGAN BIOCELL  
TEXTURED BREAST IMPLANT  
PRODUCTS LIABILITY LITIGATION

Case No.: 634

Master Docket No.: BER-L-5064-20

*GREGG A.*  
JUDGE ~~GREGORY~~ PADOVANO

CASE MANAGEMENT ORDER # \_\_\_\_\_

The Court finds that the Parties have conferred regarding a Case Management Order addressing the protocol for selecting Initial Bellwether Discovery Cases in MCL 634. The Parties having stipulated thereto, and for other good cause shown:

IT IS ON THIS 15<sup>TH</sup> DAY OF MARCH, 2025, ORDERED as follows:

1. On October 25, 2024, counsel for MCL Plaintiffs and Allergan each selected 2 cases involving Plaintiffs diagnosed with BIA-ALCL from the list of plaintiffs set forth in Exhibit A; and 2 cases involving Plaintiffs who have not been diagnosed with BIA-ALCL but who have undergone a surgery to explant their BIOCELL devices from the list of plaintiffs set forth in Exhibit B. On January 31, 2025, counsel for MCL Plaintiffs and Allergan each selected 1 additional case from the list of plaintiffs set forth in Exhibit A; and 1 additional case from the list of plaintiffs set forth in Exhibit B. These 12 selections shall be referred to as the “Initial Bellwether Discovery Cases.”

2. Following selection of the Initial Bellwether Discovery Cases, “core discovery” has commenced. Absent a stipulation between the parties or Court order upon a showing of good cause, “core discovery” shall be limited to depositions of the named Plaintiffs, the physicians who implanted and/or explanted Plaintiffs’ BIOCELL devices

("Implanting/Explanting Doctors"), the Allergan sales representative who communicated with or sold the BIOCELL devices to the Implanting Doctor(s) and/or the facility where the BIOCELL implant surgery was performed, and the oncologist, surgeon, or other primary physician(s) providing medical treatment for BIA-ALCL. Nothing in this Order shall prohibit a party from objecting to a proposed case-specific deposition and promptly raising their objections to opposing counsel and the Court as necessary.

3. The parties shall make best efforts to complete "core discovery" in the Initial Bellwether Discovery Cases by September 30, 2025.

4. Following the completion of "core discovery" in these 12 Initial Bellwether Discovery cases, the parties will negotiate and submit to the Court a Case Management Order for approval that will select the agreed upon number of Initial Bellwether Trial cases, or if agreement cannot be reached, each sides' proposal so that the Court can make the selections, along with the final proposed pre-trial schedules and deadlines for the Initial Bellwether Trial Cases.

5. This Order may be modified or amended for good cause shown, after appropriate notice and opportunity to be heard is provided to the affected parties.

IT IS THEREFORE SO ENTERED ON THIS 13<sup>TH</sup> DAY OF APRIL, 2025.

  
HON. GREGG A. PADOVANO, J.S.C.

**EXHIBIT A**

<b>Plaintiff</b>	<b>Counsel</b>
Allmendinger, Anastasia	Lenze/Berger Montague
Battista, Emilee	Berger Montague
Brademas, Michelle	Mazie Slater
Brown, Jan	Mazie Slater
Bullock, Cortney	Motley Rice
Camp, Mindi	Berger Montague
Commisso, Kimberly	Berger Montague
Gilham, Susan	Mazie Slater
Halley, Natascha	Berger Montague
Higgins, Elizabeth	Mazie Slater
Kaylor, Lori Janessa	Berger Montague
Keller, Jeannette	Mazie Slater
Kelly, Sallianne	Mazie Slater
Krusinska, Eva	Berger Montague
Lauria, Lynda	Berger Montague
Lockhart, Tricia	Mazie Slater
Orr, Judy (executor of estate of Milan, Renee)	Mazie Slater
Pfeil, Dara	Mazie Slater
Quijas-Barker, Cynthia	Mazie Slater
Resnikoff, Jill	Berger Montague
Rovira, Sharon	Lenze/Berger Montague
Silcox, Carol	Mazie Slater

<b>Tesar, Kelly</b>	Lenze/Berger Montague
<b>Vanwassenhove, Anne</b>	Berger Montague
<b>Witherall, Suzanne</b>	Mazie Slater

**EXHIBIT B**

<b>Plaintiff</b>	<b>Counsel</b>
Burkhart, Kim	Mazie Slater
Burns, Cindy	Mazie Slater
Carlton, Krista	Mazie Slater
Contrada, Joyce	Mazie Slater
Dale, Angela	Mazie Slater
DeGracia, Marisol	Mazie Slater
Depko, Elaine	Mazie Slater
Edwards, Linda	Mazie Slater
Eichholz, Marlene	Mazie Slater
Ferrante, Eda	Mazie Slater
Gill, Tina	Mazie Slater
Gilmore, Heidi	Mazie Slater
Kurz, Nancy	Mazie Slater
Loveday-Tucker, Julia	Mazie Slater
Martinez, Maria	Mazie Slater
Mauch, Jennifer	Mazie Slater
Merrill, Nancy	Mazie Slater
Paprocki, Vicki	Mazie Slater
Reynolds, Suzanne	Mazie Slater
Rossi, Karen	Mazie Slater
Rothstein, Gail	Mazie Slater
Rottino, Mary	Mazie Slater

<b>Seibold, Julie</b>	Mazie Slater
<b>Tanksley, Jessie</b>	Mazie Slater
<b>Ughrin, Elaine</b>	Mazie Slater