	SUPERIOR COURT OF NEW JERSEY
	LAW DIVISION: MIDDLESEX COUNTY
IN RE: ALLODERM® LITIGATION	**CIVIL ACTION**
	Case Code: 295
	CASE MANAGEMENT ORDER No. 1

FILED
OCT 18 2011
JUDGE JESSICA R. MAYER

THIS MATTER having been opened by the court on October 12, 2011, concerning the case management of all pending New Jersey state cases in the above-captioned litigation; and good cause having been shown;

IT IS on this 18th day of October, 2011,

ORDERED as follows:

1. It is the goal of this court to secure the just, speedy and cost effective determination of each case filed by a plaintiff alleging injuries as a result of the use of AlloDerm® in his/her hernia repair and/or abdominal reconstruction surgery now pending or hereafter filed in the Superior Court of New Jersey, Law Division, Middlesex County, and to eliminate duplication of effort, prevent unnecessary paperwork, and promote judicial economy.

APPOINTMENT OF LIAISON COUNSEL

2. The following attorneys are hereby appointed as Plaintiffs' Liaison Counsel:

> Lawrence R. Cohan, Esquire
> Adrianne E. Walvoord, Esquire
> Sol H. Weiss, Esquire (of Counsel)
> Anapol Schwartz Weiss Cohan Feldman & Smalley, P.C.
> 1040 Kings Highway North, Suite 304
> Cherry Hill, New Jersey
> (215) 735-1130
> lcohan@anapolschwartz.com
> awalvoord@anapolschwartz.com
> sweiss@anapolschwartz.com

3. The following attorneys are hereby appointed as Defendant's Liaison Counsel:

> David W. Field, Esquire
> Stephen R. Buckingham, Esquire
> Lowenstein Sandler PC
> 65 Livingston Avenue
> Roseland, New Jersey 07068
> (973) 597-2500
> dfield@lowenstein.com
> sbuckingham@lowenstein.com

4. Liaison Counsel will be responsible for the drafting, coordination, propounding, and scheduling of all master discovery requests and depositions. In addition, Liaison Counsel will be responsible for all future case management orders, pleadings, responses and any other documents that affect all actions in this Litigation.

5. All issues related to service of papers of Liaison Counsel shall be governed by paragraphs 14 through 18 of this order.

PLEADINGS

6. Within ten (10) days from the entry of this order, Plaintiffs' Liaison Counsel shall file a Master Long Form Complaint for hernia repair and/or abdominal reconstruction surgery ("Master Long Form Complaint") cases. The Master Long Form Complaint must be served on the Defendant before a response is required.

7. Within twenty (20) days of valid service of the Master Long Form Complaint on Defendant, Defendant shall file the Master Long Form Answer ("Master Answer") to the Master Long Form Complaint.

8. The Master Long Form Complaint for the AlloDerm$^{®}$ cases will substitute and supersede all complaints filed in individual AlloDerm$^{®}$ cases pending in the Superior Court of New Jersey, Law Division, Middlesex County. If a complaint filed prior to the Master Answer asserts claims not asserted in the Master Long Form Complaint, those claims are deemed withdrawn without prejudice. In all respects, the Master Long Form Complaint controls and supersedes allegations contained in any previously-filed complaint. The filing of the Master Long Form Complaint does not toll any applicable statute of limitations in individual cases.

9. After the filing of the Master Answer, all newly filed Plaintiffs shall file a Short Form Complaint, in a form to be agreed upon with Defendant's counsel.

10. Plaintiffs shall indicate, in each Short Form Complaint, those counts of the Master Long Form Complaint that are incorporated by reference.

11. Within twenty (20) days of valid service of each Short Form Complaint on Defendant, Defendant shall file a Short Form Answer to the Short Form Complaint, in a form to be agreed upon with Plaintiffs' counsel.

12. Should any amendments be filed, all Short Form Complaints and all Short Form Answers shall be deemed to follow the most current Amended Master Long Form Complaint and Answer, respectively.

SERVICE

13. Service of the Master Long Form Complaint, Master Answer, Short Form Complaints and Short Form Answers shall be effectuated by electronic mail in PDF or similar format to opposing Liaison Counsel. If Plaintiff's counsel of record for a new case is different from Plaintiffs' Liaison Counsel, a carbon copy of the aforementioned documents must be sent to Plaintiffs' Liaison Counsel via electronic mail.

14. Acceptance of service by Defendant shall be in the form of a letter sent electronically from Defendant's Liaison Counsel to Plaintiffs' Liaison Counsel, or Plaintiff's counsel of record with a carbon copy to Plaintiffs' Liaison Counsel confirming receipt of the documents.

15. Service of all documents under the *In re AlloDerm*® *Litigation*, Case Code 295, master caption shall be served on all Liaison Counsel.

16. Service on Liaison Counsel shall be deemed to be service on all counsel. Liaison Counsel shall be responsible for disseminating documents to all co-counsel. The parties will serve these documents to opposing Liaison Counsel electronically in PDF or similar format. Other Plaintiffs' counsel, who are counsel of record for cases pending in these AlloDerm® cases who would like copies of these documents, must be bound by the terms of any Protective Order that may be entered by this court and must make arrangements through Plaintiffs' Liaison Counsel if they wish to obtain copies of these documents.

17. All case specific documents shall be served on proper individual counsel in a manner consistent with the New Jersey Court Rules and any orders of this court.

DISCOVERY

18. The parties may prepare for review and approval by the court such other case management orders as are required, including, without limitations, orders governing discovery requests, documents productions, and deposition procedures and scheduling.

19. The next Case Management Conference is scheduled for **December 6, 2011** at **10:00 a.m.** in **courtroom 403**. Any joint agenda items and submissions shall be submitted to the Court by **noon** on **November 29, 2011**.

20. A copy of this order shall be posted on-line by the court within seven (7) days of the date of this order.

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JESSICA R. MAYER, J.S.C.