
IN RE: PELVIC MESH/BARD
LITIGATION

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

CASE NO. 292

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

CIVIL ACTION

CASE MANAGEMENT ORDER #30

FILED

DEC 19 2017

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 19th day of December 2017, **ORDERED** as follows:

I. ORDER ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

- A. Case Management Order No. 29, November 8, 2017
- B. Order, November 13, 2017
- C. Consent Order Modifying CMO No. 28 and Order Dated Nov. 13, 2017 As To *Moore* Case Only
- D. Consent Order, November 29, 2017

II. COMPLIANCE WITH PRIOR ORDER

- A. Case Management Order No. 29
 - 1. **Bellwether pre-trial schedule:** The parties have complied with the Court's Orders in *McGinnis* and *Moore*.
 - 2. **Next Round of Bellwether Cases:** The parties will be prepared to discuss the next round of bellwether cases.
 - 3. **Status of meet and confer on privileged documents:** The parties have met and conferred on the issue of privileged documents.

III. AGENDA ITEMS FOR NEXT CASE MANAGEMENT CONFERENCE

A. Status of Bard Cases

1. *McGinnis* Case: Date needed for Plaintiff's supplemental deposition for early January.
 - a. Deposition Objections and counter Designations to be submitted by December 27th, 2017
 - b. Motions for Deposition Designations to be filed by January 5th, 2018.
 - c. Hearings on Motions to be conducted on January 29th – January 31st, 2018.
 - d. Objections to counter Designations to be submitted by January 12th, 2018.
 - e. Juror questionnaires and hardships to be completed by March 1st, 2018.
 - f. Deposition designation disputes to be heard during week of February 12th, 2018.
 - g. Additional juror questionnaires to be completed by March 9th, 2018.
 - h. Jury charge to be submitted by March 9th, 2018.
 - i. Jury selection to begin on March 12th, 2018.
 - j. New Trial Date: March 19th, 2018.
2. *Moore* Case: Trial Schedule
 - a. Schedule indicated in CMO 28th is now irrelevant.
3. *Lewis* Case:
 - a. Plaintiffs' Expert Witnesses: Dates to be agreed upon for any of Plaintiffs' expert witnesses who may be called between December 15 and January 29 per CMO dated October 13, 2017
 - b. Defendants' Expert Witnesses: Disclosure to be made on December 15, 2017 per CMO dated October 13, 2017
4. Other Cases - **Deferred**
 - a. Replacement of *Barnett* Bellwether Case
 - b. Discovery Order in Second Wave of Bellwether Cases
5. Covidien: The Covidien stay is extended

PART IV

IV. GENERAL

1. The next Case Management Conference is scheduled for January 18th, 2018 at 10:00 a.m. Liaison Counsel shall report at 08:45 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 and Sean Hanratty at 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.