

IN RE PELVIC MESH/
BARD LITIGATION

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION – BERGEN COUNTY
:
: MASTER DOCKET NO. BER-L-17717-14

FILED

JUN 16 2022

RACHELLE L. HARZ
J.S.C.

Civil Action

CASE MANAGEMENT ORDER NO. 44

THIS MATTER having come before the Court for a case management conference on April 22, 2022, and for good cause shown;

It is on this 16th day of June, 2022;

ORDERED:

1. Counsel for Plaintiffs identified in Exhibit A, who allege claims against Defendant C.R. Bard, Inc. (“Bard”) and whose cases have not been resolved or subject to an agreement in principle to resolve, are directed to meet and confer with Bard settlement counsel, Kenneth Zucker, Esq. (Kenneth.Zucker@troutman.com) to discuss potential settlement of the cases within 60 days of entry of this Order, regardless of communications prior to the April 22, 2022 case management conference.

2. Counsel for Plaintiffs identified in Exhibit A shall provide updated plaintiff fact sheets, including updated, fully-executed authorizations, and produce medical records indicating product identification (if not already provided), within 60 days of the entry of this Order to defense counsel, Melissa Geist (mgeist@reedsmith.com) and Julia Lopez (jalopez@reedsmith.com). In cases where no update to the plaintiff fact sheet is needed, Plaintiff’s counsel shall confirm this in writing to defense counsel, Melissa Geist (mgeist@reedsmith.com) and Julia Lopez (jalopez@reedsmith.com), but is still obligated to provide updated, fully-executed authorizations.

3. Counsel for Bard is directed to submit a report to the Court regarding the settlement status on the remaining cases within 75 days of entry of this Order.

4. Notwithstanding the Order to meet and confer with Bard's settlement counsel, the parties are entitled to proceed with case specific discovery in the matters listed on Exhibit A and may meet and confer on reasonable scheduling and timing based on the updated information required from Plaintiffs per Paragraph 2 of this Order. And Bard is also directed to provide updated Defense Fact Sheets as necessary for cases that move into active discovery.

FURTHER ORDERED that to the extent that Bard has not been served in the following cases, the Court orders Plaintiffs below to serve Bard with her Complaint and File & Serve a proof of service within 30 days:

Plaintiff's Name	Docket Number
Dewhurst, Donna	BER-L-4268-21
Doolittle-Foulks, Jacque	BER-L-5198-20
Frisch, Kerri	BER-L-5417-20
Richter, Rita	BER-L-4402-21
Willis, Wendy	BER-L-7856-20

If Plaintiffs fail to file and serve a proof of service within 30 days of this Order, counsel for Bard will seek an Order to Show Cause Why Plaintiffs' Complaints Should Not Be Dismissed *With Prejudice* for failure to prosecute their case, which will be returnable fourteen (14) days after counsel for Bard seeks entry of the Order to Show Cause.

FURTHER ORDERED that this Order be posted to the Court's website, and that Plaintiff's liaison counsel provide a copy via email to those counsel who have provided their emails to liaison counsel; and it is

FURTHER ORDERED that to the extent the parties have not yet done so as required by this Court's Amended Order Regarding Electronic Service dated June 29, 2011, all parties are

required to request service of any filings on the master docket number BER-L-17717-14, as well as their individual docket number, via File & ServeXpress.


HON. RACHELLE L. HARZ, J.S.C.

EXHIBIT A

Plaintiff	Lead Counsel	Civil Action No	Litigated Products
Almendarez, Dora	Kline & Specter	BER-L-008794-18	Align
Aparicio, Maria	Bossier & Associates; D'Onofrio Firm, LLC	BER-L-008422-18	Alyte & BSC Obtryx
Baiza, Claudia	Kline & Specter	BER-L-008796-18	Avaulta Plus Anterior
Baker-Petit, Georgia	Kline & Specter	BER-L-715-22	Align
Balla, Margaret	Bernstein Liebhard LLP	BER-L-008795-19	Align TO and Avaulta Plus
Bennett, Joyce	Kline & Specter	BER-L-002816-21	Avaulta Solo
Brown, Carol J (FL)	Kline & Specter	BER-L-001196-19	Avaulta Solo Anterior
Buscaglia, Donna	Messa & Associates, PC	BER-L-018350-14	Align
Campie, Meredith	Kline & Specter	BER-L-008987-18	Align
Carel, Leesa	Pro se	BER-L-018604-14	Align
Carley, Tillie	Kline & Specter	BER-L-004591-20	Align & Avaulta Plus
Carter, Toni Ann	Oshman & Mirisola, LLP; Hecht, Kleeger, Pintel & Damashek	BER-L-017565-14	Avaulta Solo Anterior
Cruise, Danielle	Bossier & Associates; D'Onofrio Firm, LLC	BER-L-001972-19	Marlex
Daos, Elizabeth	Carey Danis & Lowe	BER-L-003185-21	Avaulta Plus Anterior
Dean, Gwendolyn	Kline & Specter	BER-L-004767-20	Avaulta Plus Anterior
Defede, Jessica	Kline & Specter	BER-L-000548-19	Align
Dewhurst, Donna	Stark & Stark	BER-L-4268-21	Alyte
Dolch, Theresa	Kline & Specter	BER-L-006916-21	Align
Doolittle-Foulks, Jacque	Stark & Stark	BER-L-5198-20	Avaulta Plus Posterior
Fox, Mary Laraine	Messa & Associates, PC	BER-L-019606-14	Alyte
Frisch, Kerri	Schroeder Law Office, PLLC	BER-L-5417-20	Align
Greenlee, Denise	Kline & Specter	BER-L-001205-19	Align
Guadalupe, Garfias	Schroeder Law Office, PLLC	BER-L-659-20	Pelvitex
Haiss, Melissa	Napoli Shkolnik PLLC	BER-L-008256-18	Avaulta Plus & Align
Henderson, Dawn	Feldman Pinto, LLC	BER-L-002633-20	Align TO
Hendrickson, Lauri	Feldman Pinto, LLC	BER-L-003559-20	Align
Howard, Shonda	Feldman Pinto, LLC	BER-L-002112-20	Unconfirmed TOT Sling
Jones, Lisa	Kline & Specter	BER-L-001206-19	Ajust
Kitchens, Rhonda	Carey Danis & Lowe	BER-L-002165-21	Align
Liebenow, Donna	Kline & Specter	BER-L-002118-21	Avaulta Plus
Light, Linda	Kline & Specter	BER-L-003111-19	Avaulta Solo Anterior
Machicote, Katrina (deceased)	Zinn Law, LLC: Fears Nachawati	BER-L-004819-21	Align
Martinez, Catherine	Stark & Stark	BER-L-716-22	Align
Martinez, Evelyn	Pro Se	BER-L-007893-18	Alyte & Gynecare TVT
Matinsky, Carol	Kline & Specter	BER-L-004584-20	Align
Montijo, Jeanette	Napoli Shkolnik PLLC	BER-L-000609-19	Alyte

Mook, Cindy	Kline & Specter	BER-L-002494-19	Align & Avaulta Solo Anterior
Mossotti, Renee	Feldman Pinto, LLC	BER-L-002284-21	Align R
Murray, Kelly	Motley Rice	BER-L-1455-22	Align
Nieves-Revolorio, Yvette	Napoli Shkolnik PLLC	BER-L-000607-19	Alyte
Onorato, Maria	Napoli Shkolnik PLLC	BER-L-000605-19	Align
Orsak, Lilian E.	Oshman & Mirisola, LLP; Hecht, Kleeger, Pintel & Damashek	BER-L-017444-14	Align & Avaulta Plus Anterior & Avaulta Plus Posterior
Patterson, Mary	Kline & Specter	BER-L-001202-19	Align
Pipelng, Michelle	Baron & Budd PC	BER-L-005431-20	Align TO
Plotts, Nikki	Zinn Law, LLC: Fears Nachawati	BER-L-006230-21	Bard Mesh (Daval)
Ramsay, Lisa	Berezofsky Law Group, LLC	BER-L-007566-18	Align
Rangel, Estella	Pro se	BER-L-019600-14	Align
Raynor, Joan	Kline & Specter	BER-L-001204-19	Avaulta Plus Anterior & Avaulta Plus Posterior
Reyes, Nora	Bernstein Liebhard LLP	BER-L-002327-19	Align-S
Richter, Rita	Lieff Cabraster Heimann & Berns	BER-L-4402-21	Unknown
Rivera, Tracey	Kline & Specter	BER-L-001503-19	Align
Robinson, Nancy	Schroeder Law Office, PLLC	BER-L-5855-20	Pelvicol
Sayet, Danielle	Kline & Specter	BER-L-007353-19	Align
Seeburger, Lisa	Kline & Specter	BER-L-007895-19	Align
Sickles, Dorthea	Bisnar Chase	BER-L-018187-14	Avaulta Plus Anterior & Align & Pelvicol
Swart, Nancy C	Kline & Specter	BER-L-009242-18	Align
Tanon, Iris	Schroeder Law Office, PLLC	BER-L-867-21	Pelvilace
Trevino, Christina	Kline & Specter	BER-L-008986-18	Unknown
Tucker, Donna	Kline & Specter	BER-L-007822-17	Align
Tucker, Mary	Bisnar Chase	BER-L-018188-14	Avaulta Plus Anterior
Valenti-Acosta, Margaret	Koppenaar Law Offices	BER-L-017965-14	Avaulta Plus & - Sparc
Willis, Wendy	Carey Danis & Lowe	BER-L-7856-20	Align & Other Manufacturer - AMS Y Shaped Prolene Mesh