
**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 #25

FILED

MAY 26 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 26th day of May 2017, **ORDERED** as follows:

PART I

I. ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

A. Case Management Order No. 24, May 11, 2017

PART II

II. COMPLIANCE WITH PRIOR ORDERS

PART III

III. CASE MANAGEMENT

A. Status of Bard Cases

1. Status of Plaintiff Sandra Rios's independent medical examination
 - a. The deposition of Defense Expert, Dr. Culligan, will go forward on June 9, 2017. Neither party at trial shall be allowed to raise the issue of the lack of examination of Ms. Rios by any of the experts.

2. Bard's request for Stipulation on HIPAA and PHI information
 - a. The Parties have agreed on the updated Protective Order and will submit to the Court by June 2, 2017.
3. Document Production
 - a. The Parties expect that document production will be completed by June 30, 2017. Defendants shall use their best efforts to get the production accomplished.
4. Plaintiffs request that Bard produce a corporate representative on Bard's decision to discontinue selling Align products.
 - a. The issue will be discussed at the June 22, 2017 CMC.
5. Plaintiffs continue to request rescheduling of the first bellwether trial to an earlier date, in early to mid-September, so there will be no overlap of the Bard and Ethicon bellwether cases (including pre-trial for Ethicon trial). The parties will meet and confer with regard to a trial date in or around early October 2017 and report to the Court.
 - a. The Parties will meet and confer to discuss all issues and dates for trial.
6. Plaintiff's demand for corporate disclosure/acquisition documents
 - a. *W/ Withw 7 decy* Plaintiffs will respond to Defendant's May 18, 2017 letter on the corporate documents. Defendants will send a copy of the May 18, 2017 letter to the Court. The issue will be discussed at the June 22, 2017 CMC.

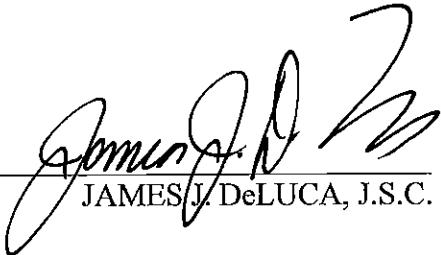
PART IV

IV. GENERAL

1. The next Case Management Conference is scheduled for June 22, 2017 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.