

**FILED**

**NOV 16 2017**

**James J. DeLuca, J.S.C.**

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***IN RE: PELVIC MESH/  
BARD LITIGATION***

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY

CIVIL ACTION  
CASE NO. 292

Docket No.: BER-L-01856-14

**CONSENT ORDER  
MODIFYING CMO NO. 28 AND ORDER  
DATED NOV. 13, 2017 AS TO *MOORE*  
CASE ONLY**

BETH KATHRYN KOTARSKI MOORE &  
CRAIG J. MOORE,

Plaintiffs,

vs.

C. R. BARD, INC., BARD MEDICAL  
DIVISION, a Division of C.R. Bard, Inc.,  
BARD UROLOGICAL DIVISION, a Division  
of Bard Medical Division, AND JOHN DOES  
1-20,

Defendants.

It appearing that the parties have stipulated and agreed, through their respective counsel, Melissa A. Geist, Esq. of the law firm of Reed Smith LLP, on behalf of C.R. Bard, Inc. (“Defendant”)<sup>1</sup> and Edward Wallace, Esq. of the law firm of Wexler Wallace, LLP, on behalf of Plaintiffs Beth and Craig Moore, to a modification of the deadlines set forth in the Court’s CMO No. 28 and modified in part by the Court in its Order dated November 13, 2017 in connection with the *Moore* case only; and Plaintiffs having sought an extension from the modified briefing schedule ordered by the Court on November 13, 2017; and the attorneys for the Defendant having consented to the proposed modification of the briefing schedule, and for other good and sufficient cause,

IT IS on this 16<sup>th</sup> day of November, 2017,

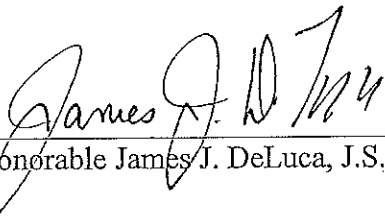
**ORDERED** as follows:

1. This Order supersedes the Court’s CMO No. 28 and November 13, 2017 Order regarding the Plaintiffs’ affirmative briefing schedule in the *Moore* case.
2. Plaintiffs’ affirmative motions shall be served and filed no later than November 22, 2017. In the event Plaintiffs fail to comply with the terms of this Order, they shall be precluded from filing any motions related to the trial of this matter, including, but not limited to, motions for summary judgment, *in limine* motions, motions challenging any of Defendant’s experts or motions related to the trial of the matter. Opposition briefs shall be filed by December 8, 2017. Reply briefs shall be filed by December 15, 2017.
3. In response to Defendant’s affirmative motions filed on November 8, 2017, Plaintiffs shall serve and file their opposition briefs by November 30, 2017. Reply briefs shall be filed by December 11, 2017.

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<sup>1</sup> Bard Medical Division and Bard Urological Division are, or were, unincorporated divisions of C. R. Bard, Inc. and are not proper parties. C. R. Bard, Inc. nonetheless has asserted a defense on behalf of those divisions in an abundance of caution.

4. Parties shall exchange all deposition designations on December 1, 2017.
5. Parties shall exchange objections and counter-designations by December 15, 2017.
6. Parties shall exchange objections to counter-designations and counter-counter designations by December 22, 2017.
7. Except as modified by this Order, the pretrial schedule and terms set forth in CMO No. 28 and modified by the Court's November 13, 2017 Order shall remain in full force.
8. A copy of this Order shall be served upon all parties within seven (7) days of counsel's receipt thereof.

  
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Honorable James J. DeLuca, J.S.C.

The undersigned hereby consent to the form and entry of this Order.

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Dated: November 15, 2017

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Dated: November 15, 2017