
IN RE: PELVIC MESH/GYNECARE
LITIGATION

FILED
JAN 25 2024
GREGG A. PADOVANO, J.S.C.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

CASE NO. 291
MASTER DOCKET NO.: BER-L-11575-14

CIVIL ACTION

CASE
MANAGEMENT ORDER #106

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; the Court having conducted a Case Management Conference on December 14, 2023; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 25th day of January ~~December~~ 2023, **ORDERED** as follows:

I. CASE MANAGEMENT

A. Status of active Ethicon cases not subject to MSA.

- a. CMO 74 Cases (see also CMO 89 and CMO 105). The remaining active cases are listed below and the parties are to continue to complete discovery:
 - i. TVT Abbrevio (Percia) – Proposed Third Amended Case Management Order pending
 - ii. TVT Exact (Gauldin)
 - iii. TVT Exact (Mays)
 - iv. TVT Exact (Snyder)
 - v. TVT-Secur (Wilcox)

1. CMO 84 Cases.

- i. CMO 84 Exhibit X cases that have not been dismissed are to be moving forward with active fact discovery. As of the date of the CMC, there are 33 cases that remain compliant with CMO 84 that should be in the middle of active discovery.
- ii. CMO 84 Exhibit Y cases that have not been dismissed are to be moving forward with active fact discovery. As of the date of the CMC, there are 2 cases that remain compliant with CMO 84 that should be in the middle of active discovery.

II. CASE MANAGEMENT DEADLINES.

CMO 105 entered on December 1, 2023, now governs case work up deadlines for CMO 74, CMO 84 and newly CMO 105-activated cases. **PARTIES SHALL NOTE THAT COMPLIANCE WITH PFS-RELATED DEADLINES UNDER CMO 105 REQUIRES THE PROVISION, *INTER ALIA*, OF THE MOST CURRENT UPDATED RECORDS RELEASE AUTHORIZATIONS.**¹

III. AMENDMENTS TO CMO 105 EXHIBIT B.

The following cases are added to Exhibit B of CMO 105 and are subject to the activation deadlines therein:

- a. Tracy Yoder, BER-L-002163-23
- b. Pamela McAlister, BER-L-5333-23

IV. FILINGS ON ECOURTS

Counsel are reminded not to use eCourts to file pleadings and other documents. This MCL requires paper filing or filing through the JEDS system. Any fees charged through an improper submission on eCourts will not be refunded. Please see CMO 96 regarding service and filing notifications.

¹ As of the date of this order, the most current records authorization forms can be found attached to the Order entered on August 28, 2023, entitled: "Updated and Amended Notice and Order Regarding Service of Plaintiff's Fact Sheets, Required Records Authorizations and Applications for Extensions of Service Dates," which can be found on the Gynecare MCL court website. <https://www.njcourts.gov/multicounty-litigation/pelvic-mesh-gynecare/case-information>

V. MISCELLANEOUS

The next case management conference will be held on **January 26, 2024** at 10:00 a.m. for liaison counsel only (via Telephone or Zoom) and at 11:00 a.m. for all counsel via telephone on the record; The Conference will be virtual or telephonic unless otherwise directed by Judge Padovano.



GREGG A. PADOVANO, J.S.C.