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

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

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

CIVIL ACTION

**CASE
MANAGEMENT ORDER #50**

All prior orders remain in full force and effect except as modified by this Order.

FILED

DEC 12 2018

**RACHELLE L. HARZ
J.S.C.**

THIS MATTER having been reassigned to the Bergen County Vicinage, from Atlantic County, pursuant to the Supreme Court's Order of December 12, 2018; the Court having conducted a Case Management Conference; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 12th day of December, 2018, **ORDERED** as follows:

I. ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

A. Case Management Order #49, entered on November 13, 2018

II. COMPLIANCE WITH PRIOR ORDERS

A. Case Management Order #49 entered on November 13, 2018.

III. CASE MANAGEMENT

A. Next trial

1. Pending Motions

a. Oral arguments will be held on January 14, 2019 at 1:30 pm on the pending motions filed on choice of law, summary judgment on statute of limitations in McFall, and severance.

2. Case Selection

a. The Tennessee Prolift cases remain set for a June 3, 2019 trial date:

1. Hansen, Sandra L. Darrah Pierce, (BER-L-010623-14), Mazie Slater
 2. McKnight, Stacie J. Miller, (BER-L-010227-14), Bernstein Liebhard; Law Offices of Jan Meyer & Associates
 3. Tays, Carolyn Atkinson, (BER-L-011577-14), Bernstein Liebhard
 4. Susong, Nancy Justice (BER-L-000793-15), Bernstein Liebhard; Law Offices of Jan Meyer & Associates
- b. The backup case the Court has selected for the Prolift trial remains:
1. Collins, Mary Ann Williamson (BER-L-011675-14), Bernstein Liebhard; Law Offices of Jan Meyer & Associates
- c. The February trial date for the TVT-O Texas plaintiff cases has been adjourned until a date in October 2019. The parties will meet and confer about a revised pretrial scheduling order and submit to the court within 14 days.
- d. The pool for the new October trial setting continues to include:
1. Reyes, Yvette Castruita Ramirez (BER-L-012431-14), Bernstein Liebhard; Law Offices of Jan Meyer & Associates
 2. McFall, Kathy Ann Price, (BER-L-011513-14), Oshman & Mirisola

In addition, the court has conducted a random selection intended to include 20 single product TVT-O and at least one revision surgery. The parties shall within the next two weeks review the 20 cases to ensure that each meets the court's selection criteria. The top three cases on that list in the order selected that remain after confirmation of criteria shall be worked up with Reyes and McFall for possible inclusion in the October 2019 trial setting. The random selection list of 20 cases is attached as Exhibit A. The next ones in order will be the backup cases for the setting.

B. Miscellaneous

- a. The parties shall submit within 2 week the pretrial order for the Tennessee Prolift cases for the June setting

IV. GENERAL

1. The next Case Management Conference will be Thursday January 31, 2019. Liaison counsel will meet at 1:30 pm, and the court will go on the record at 3:00 pm. **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.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.


RACHELLE L. HARZ, J.S.C.

EXHIBIT A

#1	Burgess, Laray & James K.	Burgess	Laray Wheeler O'Leary Bennett	Kline & Specter		BER-L-006902-15	TVT Obturator
#2	Gilmer, Brenda & Floyd	Gilmer	Brenda Geraldine Whittaker	Motley Rice; Cohen, Placitella & Roth	ATL-L-003760-14	BER-L-016351-14	TVT Obturator
#3	Gonzales, Mary	Gonzales	Mary Kathryn McIntosh	Law Offices of Jan Meyer & Associates; Bernstein Liebhard		BER-L-003320-15	TVT Obturator
#4	Wood, Glenda & Timothy	Wood	Glenda Sills	Napoli Shkolnik	ATL-L-001176-13	BER-L-014457-14	TVT Obturator
#5	Lynch, Juliann	Lynch	Juliann	Kline & Specter	ATL-L-006750-13	BER-L-015571-14	TVT Obturator
#6	Detrick, Teri	Detrick	Teri Ann Wingate Rollins Josleyn	Law Offices of Jan Meyer & Associates; Bernstein Liebhard		BER-L-007144-15	TVT Obturator
#7	Alvarado, Trinidad	Alvarado	Trinidad Vega	Law Offices of Jan Meyer & Associates; Bernstein Liebhard		BER-L-000282-15	TVT Obturator
#8	Scholler, Laura	Scholler	Laura Sherberg	Napoli Shkolnik	ATL-L-004791-13	BER-L-015341-14	TVT Obturator
#9	Farnsworth, Cheri Lynn & Leland F., II	Farnsworth	Cheri Lynn Dishan	Hecht Kleeger; Oshman & Mirisola	ATL-L-000662-13	BER-L-014433-14	TVT Obturator
#10	Waltman, Marie & Ernest	Waltman	Marie Marilyn Daggett Wiers	Kline & Specter	ATL-L-002617-12	BER-L-010731-14	TVT Obturator
#11	Silva, Tauna & Antonio	Silva	Tauna Penrod	Kline & Specter	ATL-L-005828-12	BER-L-012744-14	TVT Obturator
#12	Riley, Laresa & Jeffrey	Riley	Laresa Ann Willis	Morelli Alters Ratner	ATL-L-003122-12	BER-L-010878-14	TVT Obturator
#13	Babiak, Linda & Bart	Babiak	Linda Jean Dammann	Mazie Slater	ATL-L-006958-13	BER-L-015598-14	TVT Obturator
#14	Davis, Brenda & Michael Allen	Davis	Brenda Jean Gregory	Mazie Slater	ATL-L-003090-12	BER-L-010875-14	TVT Obturator
#15	Eberhart, Margaret & Scott M.	Eberhart	Margaret	Kirklin Soh; Seeger Weiss		BER-L-002706-15	TVT Obturator
#16	Carr, Nikki	Carr	Nikki Michelle	Law Offices of Jan Meyer & Associates; Bernstein Liebhard		BER-L-002652-15	TVT Obturator
#17	Pafford, Tasha	Pafford	Tasha Natasha D. Selfridge	Mazie Slater		BER-L-000481-15	TVT Obturator
#18	Lyons, Angela & Ellis	Lyons	Angela Danice Holcomb	Law Offices of Jan Meyer & Associates; Bernstein Liebhard	ATL-L-006016-14	BER-L-017381-14	TVT Obturator
#19	Sieberkrob, Mina	Sieberkrob	Mina	Kline & Specter	ATL-L-006033-14	BER-L-017389-14	TVT Obturator
#20	Evans, Roberta	Evans	Roberta Ann	The Gallagher Law Firm; Williams, Cuker, Berezofsky	ATL-L-003696-13	BER-L-011066-14	TVT Obturator