
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

FILED
SEP 16 2020
SHELLE L. HARZ
J.S.C.

CIVIL ACTION

CASE
MANAGEMENT ORDER #63

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; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 16th day of September, **ORDERED** as follows:

I. ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

- A. Case Management Order #62, entered July 31, 2020
- B. Diane Lombardi, et al. v. Ethicon, Inc., BER-L-2402-08, Order Setting Reasonable Fee, entered on July 20, 2020
- C. Charlotte Morin v. Ethicon, Inc., BER-L-3331-19, Consent Order of Dismissal with Prejudice, entered on July 23, 2020
- D. Rena Jenkins, et al. v. Ethicon, Inc., BER-L-10394-14, Consent Order of Dismissal with Prejudice, entered on July 23, 2020
- E. Linda Gail Abbott v. Ethicon, Inc., BER-L-13414-14, Consent Order of Dismissal with Prejudice, entered on July 23, 2020
- F. Omnibus Order (10) of Dismissals with Prejudice, entered on July 23, 2020
- G. Shanelle Schulze, et al. v. Ethicon, Inc., BER-L-13711-14, Order Setting Reasonable Fee, entered on July 28, 2020
- H. Kelly Brooks, et al. v. Ethicon, Inc., BER-L-13719-14, Order Setting Reasonable Fee, entered on July 28, 2020

- I. Dawn Marshall, et al. v. Ethicon, Inc., BER-L-15460-14, Order Setting Reasonable Fee, entered on July 28, 2020
- J. Tina White v. Ethicon, Inc., BER-L-11778-14, Order Setting Reasonable Fee, entered on July 28, 2020
- K. Rebecca Lalla, et al. v. Ethicon, Inc., BER-L-3935-20, Order Granting the Motion for *Pro Hac Vice* admission of Charles G. Orr, entered on July 31, 2020
- L. Consent Order of Dismissals with Prejudice, entered on August 20, 2020
- M. Omnibus Order (11) of Dismissals with Prejudice, entered August 28, 2020
- N. Omnibus Order (12) of Dismissals with Prejudice, entered September 8, 2020

II. COMPLIANCE WITH PRIOR ORDERS

- A. TVT-O Pre-Trial Scheduling Order (Fifth Amended), entered on December 19, 2019 (superseded by TVT-O Pre-trial Scheduling Order (Sixth Amended) (Farnsworth), entered April 22, 2020).
- B. Case Management Order #62, entered July 31, 2020.
- C. TVT 2020 Discovery Pool Pre-Trial Scheduling Order (Third), entered May 11, 2020.

III. CASE MANAGEMENT

- A. Status of the TVT-O cases the Court previously selected for an October 19, 2020 trial date:
 - 1. Farnsworth, Cheri Lynn & Leland, (BER-L-014433-14), Hecht Kleeger and Oshman & Mirisola. The court has adjourned the trial scheduled for this case due to COVID-related circumstances. The parties will meet and confer to present to the Court a revised Scheduling Order to comport with the present status of this litigation during this pandemic. This proposed order will supersede the Court’s prior order dated April 22, 2020.
- B. Status of remaining single product TVT retropubic cases for discovery pool, previously slated for a January 11, 2021 trial date:
 - 1. There remain 15 Cases in the pool as of this date. Retaining their original selection order number, these are:

3	Aboughazale, Jean	Kline & Specter	BER-L-004642-18
4	Brown, Rhonda & Mark	Oshman & Mirisola	BER-L-011572-14
7	Jones, Pamela	Kline & Specter	BER-L-

			004650-18
8	Bachmann-Hoff, Irene O. & Frederick D. Hoff	Kline & Specter	BER-L-000192-16
11	Steadman, Teresa & Jimmy	Oshman & Mirisola	BER-L-011516-14
12	Nemcek, Madeline & Richard	Oshman & Mirisola	BER-L-012359-14
14	Beasley, Cathy & Timothy Blake	Kline & Specter	BER-L-004644-18
17	Mohr, June	Girardi Keese; Seeger Weiss	BER-L-012791-14
18	Cragan, Janet S. & Lester H., III	Kline & Specter	BER-L-005206-18
19	Spears, Phyllis Carol & Joseph	Kline & Specter	BER-L-004542-16
20	Sturgeon, Rochelle	Girardi Keese; Seeger Weiss	BER-L-012973-14
22	Reynolds, Marilyn & Walter, Jr.	Oshman & Mirisola	BER-L-014620-14
24	Viers, Cindy	Kline & Specter	BER-L-016313-14
28	Ailstock, Tameria	Kline & Specter	BER-L-005676-18
29	Barker, Vivian & Kevin	Kline & Specter	BER-L-005204-18

2. The Court has adjourned the January 11, 2021 trial setting. The parties will meet and confer to present to the Court a revised Scheduling Order to comport with the present status of this litigation during this pandemic. This proposed order will supersede the Court's prior order dated May 11, 2020.
 3. The status of statute of limitations summary judgment motions in this pool: these motions will be assigned a date for oral argument after the Court has received all briefs and submissions.
- C. Status of mixed-manufacturer cases. The parties will meet and confer and report back to the Court. The Court will be advised as to which cases remain in this category and the manufacturers associated with each case.
- D. The parties will meet and confer regarding a proposal pertaining to another pool of cases to be prepared for trial.
- E. Cases Re-filed in MCL
1. Susan Rusciano v. Ethicon, Inc., et al., BER-L-4935-20, filed on August 24, 2020.

2. Wendy Wilson v. Ethicon, Inc., et al., BER-L-4599-20, filed on August 5, 2020.
3. Maria Cristina Gonzalez-Torres v. Ethicon, Inc., et al., BER-L-18669-19.

The parties will meet and confer to discuss if agreement can be reached regarding prior MDL rulings pertaining to these cases and their application, if any, to this MCL litigation.

IV. MISCELLANEOUS

The next case management conference will be held on October 28, 2020 at 1:30 pm for liaison counsel only and at 2:00 pm for all counsel on the record.



RACHELLE L. HARZ, J.S.C.