

FILED

MAY 18 2021
RACHEL L. HARZ
J.S.C.

**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 #72**

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 18th day of May, 2021, **ORDERED** as follows:

I. ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

- A. TVT Retropubic 2020 Discovery Pool Pre-Trial Scheduling Order (Fifth), entered April 16, 2021
- B. Case Management Order #69, entered April 15, 2021
- C. Case Management Order #70, Order to Reconcile Active Case Lists and Provided Updated PFS, entered April 20, 2021
- D. Case Management Order #71, entered April 20, 2021
- E. AWKO – Omnibus Order of Dismissals with Prejudice, entered April 6, 2021
- F. Connie Sue Gates v. Ethicon, Inc., et al., BER-L-000825-21, Consent Order of Dismissal without Prejudice, entered April 6, 2021
- G. Peggy Throckmorton, et al. v. Ethicon, Inc., et al., BER-L-014128-21, Consent Order of Dismissal with Prejudice, entered April 7, 2021
- H. Elizabeth Hrymoc, et al. v. Ethicon, Inc., et al., BER-L-13696-14, Order Granting Motion to Discharge and Release Supersedeas Bond and Vacate Order Granting Stay of Execution of Judgment Pending Appeal

- I. Order Appointing Special Master, entered April 19, 2021
- J. Order Establishing ESI Protocol For Ethicon/J&J Multi-Manufacturer Cases for Defendants Other Than Ethicon/J&J, entered April 20, 2021
- K. Protective Order Ethicon/J&J Multi-Manufacturer Cases, entered April 20, 2021
- L. Jane Woods v. Ethicon, Inc., et al., BER-L-005601-18, Consent Order of Dismissal With Prejudice, entered April 20, 2021
- M. Mueller Law – Omnibus Order of Dismissals Without Prejudice, entered April 20, 2021
- N. Rachel Nelson v. Ethicon, Inc., et al., BER-L-015073-14, Consent Order of Dismissal With Prejudice, entered April 26, 2021
- O. Nancy Marazzo, Inc., et al., BER-L-016237-18, Consent Order of Dismissal With Prejudice, entered April 20, 2021
- P. Dianne Brown v. Ethicon, Inc., et al., BER-L-012153-14, Order allowing service to be made upon Plaintiff Dianne Brown henceforth by mail and publication in Plaintiff’s local newspaper, entered April 30, 2021.
- Q. Omnibus Dismissal Order with Prejudice No. 19, entered May 10, 2021.
- R. Wendy Wilson v. Ethicon, Inc., BER-L-4599-20 MCL, Consent Order of Dismissal without prejudice entered May 11, 2021.

II. COMPLIANCE WITH PRIOR ORDERS

- A. TVT-O Pre-trial Scheduling Order (Eighth Amended) (Farnsworth), entered on March 9, 2021.
- B. Case Management Order #69, entered April 15, 2021.
- C. TVT Retropubic 2020 Discovery Pool Pre-Trial Scheduling Order (Fifth), entered April 16, 2021.

III. CASE MANAGEMENT

- A. Status of remaining single product TVT retropubic cases for discovery pool, previously slated for a January 11, 2021 trial date:
 - 1. There remains 1 Case in the pool as of this date. Retaining its original selection order number, this case is:

12	Nemcek, Madeline & Richard	Oshman & Mirisola	BER-L-012359-14
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- 2. The Nemcek case is presently situated to be able to proceed in accordance with this court’s TVT Retropubic 2020 Discovery Pool Pre-Trial Scheduling Order (Fifth Amended), and therefore, is selected to be the next case slated for trial and remains subject to

the deadlines in the April 16, 2020 TVT Retropubic 2020 Discovery Pool Pre-Trial Order (Fifth Amended).

- B. Status of mixed-manufacturer cases. Counsel will meet and confer and provide the court with an updated list of active cases as contemplated by CMO 70.
- C. Status of updated list of active cases not subject to MSA for purposes of selecting future discovery pools. Counsel will meet and confer and provide the Court with an updated list of active cases as contemplated by CMO 70.
- D. Status of Girardi Keese cases. The court will enter an order to stay these cases while still under the control of the bankruptcy trustee.

IV. MISCELLANEOUS

The next case management conference will be held on July 1, 2021 at 10:30 am for liaison counsel only and at 11:00 am for all counsel on the record.


RACHELLE L. HARZ, J.S.C.