
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 #100

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 June 22, 2023; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 27th day of July 2023, **ORDERED** as follows:

I. CASE MANAGEMENT

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

1. CMO 74 Cases (see also CMO 89). The remaining active cases are listed below and the parties are to continue to complete discovery:
 - ii. TVT Exact (Gauldin, Mays, Snyder)
 - iv. TVT Retropubic (Castro)
 - v. TVT Abbrevo (Percia)
 - vi. TVT-Secur (Wilcox)
2. CMO 84 Cases.
 - i. CMO 84 Exhibit X cases that have not been dismissed are to move forward with active fact discovery. As of the date of this order, there are 45 cases that remain compliant with CMO 84 that should be in the middle of active discovery. Defendants are in the process of

collecting medical records in order to proceed with depositions and other discovery in the active cases. When sufficient medical records are collected, the parties are expected to proceed with depositions. The parties will meet and confer and provide the Court with a report regarding the remaining active cases at the next case management conference.

- ii. CMO 84 Exhibit Y cases that have not been dismissed are to move forward with active fact discovery. As of the date of this order, there are 8 cases that remain compliant with CMO 84 that should be in the middle of active discovery. Defendants are in the process of collecting medical records in order to proceed with depositions and other discovery in the active cases. When sufficient medical records are collected, the parties are expected to proceed with depositions. The parties will meet and confer and provide the Court with a report regarding the remaining active cases at the next case management conference.

II. WAITING PERIODS IN MEDICAL RECORDS COLLECTION PROTOCOLS.

Liaison counsel discussed Defendants' request that plaintiffs' counsel in cases activated for discovery agree to waive or reduce the waiting times established in the April 25, 2012 amendment to CMO 3, where feasible. The parties understand that there are circumstances where this may not be feasible. Any disputes that cannot be resolved between the parties can be presented to the Court.

III. SCIENCE DAY

The Defendants proposed that a "science day" be presented to the Court, and offered to meet and confer to propose to the court options for a science day presentation to provide background information on the products and medical issues at issue in the MCL. The parties are to meet and confer and inform the Court of the status of those discussions at the next case management conference.

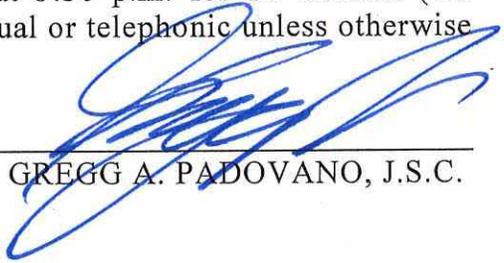
IV. FILINGS ON ECOURTS

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.

V. MISCELLANEOUS

The next case management conference will be held on **August 1, 2023** at 2:30 p.m. for liaison counsel only (via Telephone or Zoom) and at 3:30 p.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.