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IN RE: PELVIC MESH/GYNECARE  
LITIGATION

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SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

CASE NO. 291

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

CIVIL ACTION

CASE

MANAGEMENT ORDER #91

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

**FILED**

FEB 03 2023

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 October 31, 2014; the Court having conducted a Case Management Conference on July 22, 2022; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 30 day of February 2023, **ORDERED** as follows:

**I. CASE MANAGEMENT**

**A. Trial Settings.**

1. **Trial Setting (Prolift):** This trial remains set for May 1, 2023. (The Court denied Defendants' request to adjourn the trial to June 20, 2023). The parties will meet and confer to submit a pretrial scheduling order that contemplates opening statements on May 1, 2023, and in-court jury selection beginning on April 24, 2023. The cases in this pool that remain are:

| Case Name                 | Docket No.      | Plaintiffs' Law Firm | Product(s)      |
|---------------------------|-----------------|----------------------|-----------------|
| Pokler, Marina v. Ethicon | BER-L-015644-14 | Mazie Slater         | Prolift / TVT-S |

2. **Trial Setting (TVT retropubic)**: The June 20, 2023 trial setting for the TVT pool shall be adjourned to a date in the fall of 2023, pending input from the MCL judge.
3. **Additional trial settings**: The parties will meet and confer regarding the CMO 74 and CMO 84 cases that are undergoing case work up to evaluate case candidates and proposals for future additional trial settings with input from the MCL judge.

**B. Status of active Ethicon cases not subject to MSA.**

1. CMO 74 Cases (see also CMO 89). The remaining active cases not subject to a current trial setting include:
  - i. Mixed-manufacturer cases (Aguirre)
  - ii. Prolift + M (Laframboise, Olah, Rozear)
  - iii. Prosima (McCormick)
  - iv. TVT Exact (Gauldin, Mays, Snyder)
  - v. TVT Retropubic (Castro)
  - vi. TVT Abbrevo (Percia)
  - vii. 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. The parties will meet and confer and provide the Court with a report regarding the remaining active cases.
  - ii. CMO 84 Exhibit Y cases that have not been dismissed are to move forward with active fact discovery.

**II. 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.

**III. MISCELLANEOUS**

The next case management conference will be held on **February 22, 2023** at 2:00 p.m. for liaison counsel only (via Zoom) and at 3:00 p.m. for all counsel on the record; The Conference will be virtual or telephonic.

  
RACHELLE L. HARZ, J.S.C.