

**FILED**

AUG 20 2012

**Carol E. Higbee, P.J.Cv.**

**MAZIE SLATER KATZ & FREEMAN, LLC**  
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Roseland, New Jersey 07068  
(973) 228-9898  
Plaintiffs' Co-Liaison Counsel

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IN RE PELVIC MESH/GYNECARE  
LITIGATION

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – ATLANTIC COUNTY  
: MASTER CASE 6341-10  
: CASE NO. 291 CT

:  
:  
: Civil Action

: **ORDER DENYING DEFENDANTS'**  
: **MOTION FOR PROTECTIVE ORDER**  
: **AND GRANTING PLAINTIFFS'**  
: **CROSS-MOTION TO COMPEL**  
: **DISCOVERY IN PART**

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THIS MATTER having come before the Court on Defendants' Ethicon, Inc. and Johnson & Johnson, Motion for Protective Order Precluding the Depositions of Sheri McCoy and Gary Pruden, and on Plaintiffs' Cross-Motion to Compel Discovery, and the Court having considered the papers submitted, and the argument of counsel on July 19, 2012, and for the reasons set forth on the record on July 19, 2012, and for good cause shown;

IT IS on this 20<sup>th</sup> day of August, 2012:

ORDERED as follows:

1. The depositions of Alex Gorsky, Sheri McCoy, and Gary Pruden, will take place on or before September 15, 2012. To the extent feasible, Gary Pruden will be produced for deposition prior to Alex Gorsky and Sheri McCoy. William Weldon will also be deposed on or before September 15, 2012, if the conditions set forth in paragraph 2 or 3 are met.

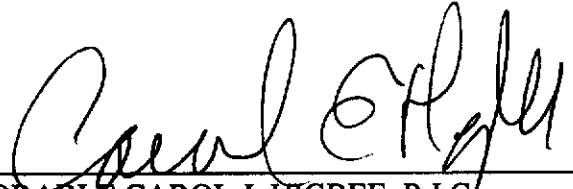
2. Immediately following Defendants' receipt of the Plaintiffs' additional search terms following the July 19, 2012 case management conference, Defendants will perform a complete search of the complete custodial files and all business and personal computers, and laptops that they use in business, of Alex Gorsky, Sheri McCoy, Gary Pruden, and William Weldon, or other paper or electronic environments or computers containing any of their custodial files or emails, including electronic searches inclusive of the previously utilized search terms, and the additional search terms supplied by Plaintiffs following the July 19, 2012 case management conference. All documents or data containing one or more search terms shall be produced without limitation, except pursuant to a claim of privilege, and Defendants shall confirm in writing that this search has been performed. If one or more documents are identified with one or more search terms in the search of William Weldon's custodial files, William Weldon will be deposed. As Sheri McCoy is a former employee, the computer(s) searched should be limited to those used for business during her employment by Defendants.

3. In the event William Weldon is not deposed in the first instance pursuant to Paragraph 2, and if Alex Gorsky, Sheri McCoy, and/or Gary Pruden testifies to discussing any information relevant to the Ethicon products at issue with William Weldon, William Weldon will be deposed.

4. All documents identified with the aforesaid searches shall be produced no less than 10 days in advance of the first of the aforesaid witnesses to be deposed.

5. Defendants shall advise Plaintiffs by July 23, 2012 if they will not be voluntarily producing Sheri McCoy for her deposition, such that a subpoena will be required. Otherwise, Defendants shall voluntarily produce Sheri McCoy for her deposition.

FURTHER ORDERED that a copy of this Order be served upon all parties within five (5) days of the date hereof.

A handwritten signature in black ink, appearing to read "Carol J. Higbee", written in a cursive style. The signature is positioned above a horizontal line.

HONORABLE CAROL J. HIGBEE, P.J.C.