

**FILED**

**JUN 10 2019**

**RACHELLE L. HARZ  
J.S.C.**

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Attorneys for Plaintiff and the proposed Class

DEBBIE GORE, on behalf of herself and  
all others similarly situated,

Plaintiffs,

v.

BRUCE H. NAGEL; ANDREW L.  
O'CONNOR; ROBERT SOLOMON;  
NAGEL RICE, LLP; DEREK POTTS;  
POTTS LAW FIRM, L.L.P.; BAILEY  
PEAVEY BAILEY COWAN  
HECKAMAN, PLLC; BAILEY  
PEAVEY BAILEY; BAILEY PERRIN  
BAILEY; MESH LITIGATION  
CENTER; ANNIE MCADAMS;  
STEELMAN MCADAMS; JUNELL &  
ASSOCIATES, PLLC; K. CAMP  
BAILEY, PC; BURNETT LAW FIRM;  
JOHN DOES 1-100; AND ABC CORPS  
1-100

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY  
DOCKET NO.: BER-L-<sup>4381-19</sup>  
MASTER CASE NO.: BER-L-11575-14

CIVIL ACTION

**ORDER TO SHOW CAUSE**

THIS MATTER having come before the Court upon application by plaintiff Debbie Gore through her counsel Mazie Slater Katz & Freeman, LLC for entry of an Order to Show Cause, and the Court having considered the plaintiff's Verified Complaint, the Affidavit of Adam M. Slater, and the accompanying Brief, and for good cause shown;

IT IS on this 10<sup>th</sup> day of June 2019;

ORDERED that defendants shall appear at the Superior Court of New Jersey, Bergen County, at 10 Main Street, Hackensack, New Jersey 07061 before the Honorable Rachelle L. Harz, J.S.C. on the 11<sup>th</sup> day of July 2019 at 10:00 AM o'clock to show cause why an Order should not be issued as follows;

1. Requiring defendants to provide a full accounting of all pelvic mesh cases filed in the New Jersey Superior Court in which they have a financial interest, including cases they have filed, or had filed on their behalf, including cases filed on their behalf by a non-party to this case, and cases in which they have a financial interest regardless of who filed such cases (the "Subject Cases");
2. Requiring defendants to provide a full accounting of all settlements reached in the Subject Cases, together with the settlement documents for each matter;
3. Requiring defendants to produce all retainer agreements for the Subject Cases;
4. Requiring defendants to provide a full accounting of all attorneys' fees paid from settlements of the Subject Cases, including calculations, percentages, amounts, and all attorneys and law firms sharing in the recovery of the attorneys' fees;
5. Requiring defendants to provide a full accounting of all expenses paid from settlements of the Subject Cases, including calculations, amounts, and all attorneys and law firms sharing in the recovery of the expenses;
6. Requiring defendants to produce any and all agreements between and among the defendants with regard to the Subject Cases;
7. Requiring defendants to produce complete documentation of any payments between and among the defendants with regard to the Subject Cases; and

8. Requiring defendants to deposit all attorneys' fees and expenses which have been paid from the Subject Cases with the Clerk of the Court, pending further Order of the Court.

ORDERED that a copy of this Order to Show Cause, the Verified Complaint, Affidavit of Adam M. Slater, and Brief, shall be served upon the defendants either personally or by delivering copies to their normal place of business via hand delivery, or via federal express, within 3 days of the date hereof, and that such service shall constitute effective service of original process in accordance with R. 4:4-3 and R. 4:4-4; and it is further

ORDERED that plaintiff must file with the Court proof of service of the pleadings on the defendants no later than three days before the return date; and it is further

ORDERED that defendants shall serve and file any written opposition to the Complaint and the relief sought in this Order to Show Cause by July 2 2019. Any such written opposition must be filed with the Clerk of the Superior Court, Bergen County, 10 Main Street, Hackensack, New Jersey 07601 with a copy via hand delivery, federal express, or email to counsel for plaintiff, Adam M. Slater, Mazie Slater Katz & Freeman, LLC, 103 Eisenhower Parkway, Roseland, New Jersey 07068. A copy of the papers must be submitted directly to the Chambers of the Honorable Rachelle Harz, J.S.C. A telephone call will not protect defendants' rights; you must file and serve opposition (with the required fee payable to the "Treasurer State of New Jersey") if you want the Court to hear your opposition to the relief the Plaintiff is seeking. Failure to file and serve an answer to the Verified Complaint within the time set

forth above may result in the entry of default judgment against the defendant for the relief sought in the complaint; and it is further

ORDERED that plaintiff shall file and serve any written reply to the defendants' opposition by July 9 2019. The reply papers must be filed with the Clerk of the Superior Court, Bergen County, and a copy of the reply papers must be submitted directly to the Chambers of the Honorable Rachelle L. Harz, J.S.C., with copies served upon defendants or their counsel, via hand delivery, federal express, or email.

ORDERED, that if defendants do not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided the plaintiff files a Proof of Service and a proposed form of Order at least three (3) days prior to the return date; and it is further

ORDERED that if plaintiff has not already done so, a proposed form of Order addressing the relief sought on the return date must be submitted no later than three (3) days before the return date.

If you cannot afford an attorney, you may call the Legal Services office in which you live or legal services of New Jersey Statewide Hotline at 1-800-LSNJ-LAW (1-888-576-5529). If you do not have an attorney or are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in Bergen County and online at [njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://njcourts.gov/forms/10153_deptyclerklawref.pdf).

The Court will entertain argument, but not testimony, on the return date of the Order to Show Cause, unless the parties are advised to the contrary no later than 2 days before the return date.

  
HON. RACHELLE HARZ, J.S.C.

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