

Michael C. Zogby (State Bar ID 030312002)
Jessica L. Brennan (State Bar ID 024232007)
BARNES & THORNBURG LLP
55 Madison Avenue, Suite 400
Morristown, NJ07960
(973) 775-6120
michael.zogby@btlaw.com
jessica.brennan@btlaw.com
Attorneys for Defendants Mentor Worldwide LLC, Ethicon, Inc., and Johnson & Johnson

SUSAN AGUIRRE,

Plaintiff,

v.

MENTOR CORPORATION, MENTOR
WORLDWIDE, LLC, ETHICON, INC.,
JOHNSON & JOHNSON, and JOHN DOES 1-
20,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO. BER-L-8298-19

**IN RE: PELVIC
MESH/GYNECARE LITIGATION
CASE NO. 291**

CIVIL ACTION

ORDER

THIS MATTER, having been submitted to the Court on 9/14, 2022, upon the unopposed application of defendants Mentor Worldwide LLC, Ethicon, Inc., and Johnson & Johnson ("Defendants"), by and through its attorneys, Barnes & Thornburg LLP, for the issuance of a Commission requesting the District Court of the State of Texas, Harris County, to direct the Clerk of the Court to issue a subpoena ad testificandum and duces tecum to Pulaski Kherkher, PLLC, and issue any other appropriate order or process in aid of such Commission; and for good cause shown,

IT IS on this 14th day of September, 2022,

1. **ORDERED** that Defendants' request for the issuance of a Commission for deposition and collection of records from Pulaski Kherkher, PLLC. is hereby granted; and it is further

2. **ORDERED** that this Court hereby authorizes the issuance of, and hereby issues, its Commission, pursuant to Rule 4:11-5, and in the form annexed thereto for the taking of the deposition of a corporate representative of Pulaski Kherkher, PLLC, at the time and place of the deposition, and for the production of all documents relating to any of the subjects listed on the Exhibit A annexed to the Commission; and it is further

3. **ORDERED** that the subpoena ad testificandum and duces tecum shall instruct Pulaski Kherkher, PLLC to produce all documents relating to any of the subjects listed on Exhibit A, including those that may be protected by the attorney-client privilege or the work product doctrine, to Plaintiff's counsel, Adam Slater, Esq. at the following address:

Adam Slater, Esq.
Mazie Slater Katz & Freeman, LLC
103 Eisenhower Parkway
Roseland, New Jersey 07068
aslater@mazieslater.com

Pulaski Kherkher, PLLC shall copy Defendants' counsel on the production cover letter only. The cover letter shall identify the total number of pages that are being produced. The subpoena shall further instruct Pulaski Kherkher, PLLC to affix a sequential bates-label to each page produced to Plaintiff's counsel. Once the documents are received by Plaintiff's counsel, Mazie Slater Katz & Freeman, LLC shall have five (5) business days to produce the documents to Defendants' counsel, along with a privilege log describing, in reasonable detail, any documents withheld from production to Defendants; and it is further

4. **ORDERED** that the Clerk of the Superior Court of New Jersey, Bergen County affix the proper seal to said Commission; and it is further

5. **ORDERED** that this Court respectfully requests that the District Court of the state of Texas, Harris County, direct the Clerk of the Court to issue a subpoena ad testificandum and duces tecum and issue any other appropriate process in aid of such Commission; and it is further

6. **ORDERED** that counsel for Defendants shall serve a copy of this Order upon all counsel of record within seven (7) days of receipt hereof.


Honorable Rachelle L. Harz, J.S.C.

opposed
 unopposed