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Ethicon, Inc. and Johnson & Johnson

FILED

DEC 01 2021

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

THHERESA BARRETT and GARY
BARRETT

Plaintiffs

vs.

ETHICON, INC., GYNECARE,
JOHNSON & JOHNSON, AMERICAN
MEDICAL SYSTEMS, INC., C.R.
BARD, INC., TISSUE SCIENCE
LABORATORIES LIMITED,
SOFRADIM PRODUCTION SAS,
BOSTON SCIENTIFIC
CORPORATION, COLOPLAST
CORPORATION, MENTOR
WORLDWIDE, LLC, CALDERA
MEDICAL, INC., TYCO
HEALTHCARE GROUP LP, UNITED
STATES SURGICAL CORPORATION,
COVIDIEN, INC., COOK, INC., COOK
MEDICAL INC., COOK GROUP, INC.,
et als.

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – BERGEN COUNTY
DOCKET NO. BER-L-015310-14 MCL

MASTER DOCKET NO. BER-L-011575-14

CIVIL ACTION

In Re Pelvic Mesh/Gynecare Litigation
Case No. 291

NOTICE, ORDER OF PARTIAL DISMISSAL, AND REQUEST TO STAY

WHEREAS the Complaint in this case originally having named as defendants Johnson & Johnson; Gynecare; EWH&U; Ethicon, Inc.; American Medical Systems, Inc.; Boston Scientific Corporation; C. R. Bard, Inc.; Caldera Medical, Inc.; Coloplast Corp.; Cook Medical, Inc.; Cook, Inc.; Covidien, Inc.; Mentor Worldwide LLC; Sofradim Production SAS; Tissue Science Laboratories Limited; Tyco Healthcare Group LP; and United States Surgical Corp, and others, AND

WHEREAS an order of dismissal as to Defendant American Medical Systems, Inc. having been entered on September 27, 2021, AND

WHEREAS the case is now ripe for dismissal as to all remaining defendants except Johnson & Johnson and Ethicon, AND

WHEREAS the parties would like to advise the Court that a settlement in principle has now been reached in this case with Johnson & Johnson and Ethicon, Inc. as part of larger global settlement in principle involving multiple plaintiffs, AND

WHEREAS it will likely take several months before the settlement will be finalized and as a result, the parties jointly request that this case, which was selected as part of the CMO 74 Exhibit A mixed manufacturer discovery pool,

THERESA BARRETT and GARY BARRETT	Ethicon Product = TVT-O	BER-L-015310-14 MCL
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be moved to inactive status and/or that any deadlines and other requirements be stayed, until such time as the settlement can be concluded and the cases can be dismissed with prejudice.

In the event the global settlement is not finalized, the parties will promptly inform Your Honor so that any such case can be restored to the active docket of this Court.

IT IS on this 1st day of December, 2021, **ORDERED** as follows:

The case is dismissed with prejudice as to all remaining defendants other than Ethicon Inc. and Johnson & Johnson, and

Any deadlines and proceedings in this case as to the only remaining Defendants (Ethicon, Inc. and Johnson & Johnson), including, but not limited to those established in CMO 74, are stayed pending further order of the Court, and

A copy of this Order shall be entered on the Master Case docket as well as in this matter's docket.



RACHELLE L. HARZ, J.S.C.

THE UNDERSIGNED CONSENT TO THE FORM AND ENTRY OF THIS ORDER:

Michael Katz, Esq.
Lopez McHugh LLP
214 Flynn Avenue
Moorestown, NJ 08057
Attorneys for Plaintiff
Email: mkatz@lopezmchugh.com

By: /s/ Michael Katz¹
Michael Katz, Esq.

Dated: November 29, 2021

Kelly S. Crawford
RIKER, DANZIG, SCHERER, HYLAND
& PERRETTI, LLP
*Attorneys for Defendants, Ethicon, Inc.
and Johnson & Johnson*

By: /s/ Kelly S. Crawford¹
Kelly S. Crawford

Dated: November 29, 2021

¹ Pursuant to the New Jersey Supreme Court Omnibus Order on Covid-19 issues entered on March 27, 2020, " The provisions of Rule 1:32-2A(c) and all other Court Rules requiring original signatures on filings are relaxed and supplemented so as to permit electronic signatures to be used in all filing processes temporarily authorized to be used during the COVID-19 crisis, including, but not limited to emergent applications submitted by email and hardcopy submissions in dockets without an approved electronic filing system... ."

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