

Prepared by the court

SAYRIS J. GONZALEZ,

Plaintiff,  
vs.

ETHICON, INC., ETHICON WOMEN'S  
HEALTH AND UROLOGY, a Division of  
ETHICON, INC., GYNECARE, JOHNSON &  
JOHNSON, and JOHN DOES 1-20,

Defendants.

KIMBERLY SUE HILDEBRAND and BARRY  
JOE HILDEBRAND,

Plaintiffs,  
vs.

ETHICON, INC., ETHICON WOMEN'S  
HEALTH AND UROLOGY, a Division of  
ETHICON, INC., GYNECARE, JOHNSON &  
JOHNSON, and JOHN DOES 1-20,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – BERGEN COUNTY  
DOCKET NO. BER-L-011810-14-MCL

MASTER DOCKET NO. BER-L-11575-14  
CIVIL ACTION  
In Re Pelvic Mesh/Gynecare Litigation  
Case No. 291

FILED

DEC 02 2022

RACHELLE L. HARZ  
J.S.C.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – BERGEN COUNTY  
DOCKET NO. BER-L-012896-14-MCL

MASTER DOCKET NO. BER-L-11575-14  
CIVIL ACTION  
In Re Pelvic Mesh/Gynecare Litigation  
Case No. 291

**ORDER GRANTING PLAINTIFFS' MOTION  
FOR A PROTECTIVE ORDER REGARDING  
DEPOSITIONS OF FRIENDS AND FAMILY**

THIS MATTER having been opened to the Court by Mazie Slater Katz & Freeman, LLC,  
attorneys for Plaintiffs, seeking a Protective Order and an Order Quashing Certain Subpoenas; and  
the Court having considered the moving and opposing papers, and hearing oral argument, and for  
good cause shown;

IT IS on this 2<sup>nd</sup> day of December, 2022,

IT IS ORDERED that the subpoena served on Candy Gonzalez is hereby quashed and shall have no force and effect;

IT IS FURTHER ORDERED that Defendants shall not serve a duplicative subpoena on Barry Hildebrand;

IT IS FURTHER ORDERED that Defendants shall not serve subpoenas on Ashley Hildebrand and Shonda Hildebrand Griffin;

IT IS FURTHER ORDERED that a copy of this Order shall be served on all counsel by this court.



Hon. Rachelle Lea Harz, J.S.C.

Opposed

Unopposed

See Rider attached.

## RIDER

Before this court is the motion of Plaintiffs Sayris J. Gonzalez and Kimberley Sue Hildebrand seeking a protective order regarding deposition subpoenas pertaining to Barry Hildebrand (husband of Kimberley Hildebrand), Ashley Hildebrand and Shonda Griffin (daughters of Kimberley Hildebrand, and Candy Gonzalez (sister of Sayris Gonzalez) by defendants, Ethicon, Inc. and Johnson and Johnson's (hereinafter "Ethicon"). Ethicon opposes this motion arguing that these individuals have been identified as individuals who possess information relevant to Plaintiffs' injuries and current medical conditions.

With regard to Barry Hildebrand, the husband of Kimberley Hildebrand, he has already been deposed and this court will not allow his redeposition.

Argument was made that Ethicon does not want to be surprised by testimony at the time of trial by the other three fact witnesses. However, it has been represented by Plaintiffs' counsel that other than Barry Hildebrand, these individuals will not be called to testify at the time of trial. With this information, this court does not recognize a legitimate purpose to these depositions. In addition, these names were disclosed years ago and Ethicon waited until now to seek their deposition, when the parties are dealing with expert depositions and pretrial issues. This court is aware as to the intense activity presently in place in preparation for trial, including exchanging deposition designations. Preparing and attending depositions for these three individuals would impose undue burden on Plaintiffs this close to trial, especially in light of the fact that it is known that these three individuals will not be called to testify, and Ethicon thereby suffers no prejudice.