

**FILED**

JUN 07 2019

JOHN C. PORTO, J.S.C.

**PREPARED BY THE COURT**

IN RE PROCEED MESH LITIGATION (Proceed® Surgical Mesh and Proceed® Ventral Patch Hernia Mesh)	: SUPERIOR COURT OF NEW JERSEY : LAW DIVISION: ATLANTIC COUNTY : CASE NO: 630 : Civil Action : MASTER CASE NO. ATL-L-794-19 : : <b>ORDER GRANTING WILLIAM M.                  GAGE, ESQUIRE, ADMISSION                  PRO HAC VICE</b>
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**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants, Johnson & Johnson and Ethicon, Inc., for an Order allowing William M. Gage, Esquire to appear and participate *pro hac vice*, and the Court having considered the application, and any opposition thereto, and with good cause appearing:

**IT IS**, on this 7th day of June, 2019;

**ORDERED** that William M. Gage, Esquire shall be admitted *pro hac vice* in the above-captioned matter; and it is

**FURTHER ORDERED** that William M. Gage, Esquire shall abide by the New Jersey Rules of Civil Procedure, including all disciplinary rules issued by the Supreme Court of New Jersey; and it is

**FURTHER ORDERED** that by reason of his admission, William M. Gage, Esquire consents to the appointment of the Clerk of the Supreme Court of New Jersey as his agent upon whom service of process may be made of all actions which may hereinafter be brought against him or his firm arising from their participation in this matter; and it is

**FURTHER ORDERED** that William M. Gage, Esquire shall notify this Court immediately if any matter arises which affects his standing before the Bar for the State of Mississippi, the United States District Courts for the Northern and Southern Districts of Mississippi, and the United States Court of Appeals for the Fifth Circuit; and it is

**FURTHER ORDERED** that all pleadings, briefs and other papers filed on behalf of Defendants, Johnson & Johnson and Ethicon, Inc., shall also be signed by a member of the firm of

McCarter & English, LLP, and that firm shall be responsible for such papers and the conduct of this case and the attorney admitted herein; and it is

**FURTHER ORDERED** that William M. Gage, Esquire pay the required annual fees to the New Jersey Lawyers' Fund for Client Protection in accordance with New Jersey Rule 1:28-2, the Oversight Committee in accordance with Rule 1:20-1(b), and the Lawyers' Assistance Program in accordance with Rule 1:28B-1(e) within ten (10) days of this Order and shall submit an affidavit of compliance; and it is

**FURTHER ORDERED** that no delay or adjournment in discovery, motions, trial or any other proceeding shall be requested by reason of William M. Gage, Esquire's inability to appear; and it is

**FURTHER ORDERED** that automatic termination of *pro hac vice* admission shall occur for failure to make the required annual payment of the Annual Fee and the annual payment to the Lawyers' Assistance Fund and the New Jersey Lawyers' Fund for Client Protection. Proof of such payment, after filing proof of the initial payment, shall be made no later than February 1st of each year; and it is

**FURTHER ORDERED** that non-compliance with any of these requirements shall constitute grounds for removal; and it is

**FURTHER ORDERED** that a signed copy of this Order be served upon all counsel within seven (7) days of the date hereof.



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HON. JOHN C. PORTO, J.S.C.

[ ] Opposed

[ XXX ] Unopposed

**Schedule A: NJ Proceed Litigation Master Chart of Cases Filed/Transferred  
 Atlantic County**

No.	Plaintiff(s)'s Names	ATL Docket
1	Rodgers, Pamela	ATL-924-19
2	Vernick, Emmy	ATL-925-19
3	Phillips, Tammy	ATL-926-19
4	Eccles, Keith & Eccles, Lauren	ATL-928-19
5	Hanson, Scott	ATL-929-19
6	Varner, Rebecca	ATL-930-19
7	Michaels, Jeannine	ATL-931-19
8	Matz, Michael	ATL-932-19
9	Nelson, Knute & Nelson, Jasmine	ATL-933-19
10	Bennett, Ralph	ATL-934-19
11	Brooks, Caroline	ATL-935-19
12	Campbell, Cassandra	ATL-936-19
13	Capshaw, Clifton	ATL-937-19
14	Clements, Charles	ATL-938-19
15	Clulee, Sherry Marie	ATL-939-19
16	Collier, Greg	ATL-940-19
17	Cordova, Michael	ATL-941-19
18	Cottle, Jason	ATL-942-19
19	Darnell, David	ATL-943-19
20	Deffenbaugh, Gary	ATL-944-19
21	Diloreto, Edward	ATL-945-19
22	Finotti, James	ATL-946-19
23	Jones, Eugenia	ATL-948-19
24	Jones, Georcie	ATL-949-19
25	Krampen-Yerry, Denise	ATL-950-19
26	Lang, Christine	ATL-951-19
27	Lecza, Cheryl	ATL-953-19
28	Lindsey, Scott	ATL-954-19
29	Linnenbrink, Christina	ATL-955-19
30	Lloyd, William	ATL-956-19
31	Lowe, Sandra	ATL-957-19
32	Lowrey, Robert	ATL-958-19
33	Lynch, Roy	ATL-959-19
34	Mack, Edward & Mack, Robin	ATL-960-19
35	Masingo, Jerry	ATL-961-19
36	Mathews, William	ATL-962-19
37	McCutcheon, Deanna	ATL-963-19
38	Whitfield, Michael & Whitfield, Melissa	ATL-964-19
39	Williams, James	ATL-965-19
40	Wolfe, Donna	ATL-966-19
41	Wolfe, Patty	ATL-967-19
42	Woods, Lisa	ATL-968-19
43	Austin, Jeffrey	ATL-969-19
44	Blocker, Shannon	ATL-970-19

No.	Plaintiff(s)'s Names	ATL Docket
45	Brown, Lionel & Brown, Doris	ATL-971-19
46	Burns, Gregory & Burns, Edie	ATL-972-19
47	Classen, Mary & Classen, Anthony C.	ATL-973-19
48	Delph, Terrie & Delph, Matthew	ATL-975-19
49	Dill, Barbara & Dill, John Irvin	ATL-976-19
50	Falcon, Lloyd	ATL-977-19
51	Frank, Fontella	ATL-978-19
52	Hall, Vivian	ATL-979-19
53	Harding, Sheri & Harding, Hargis	ATL-980-19
54	Hughey, Lance	ATL-982-19
55	Ishii, Freedom	ATL-983-19
56	Jacuzzi, Victor	ATL-984-19
57	Johnson, Anna	ATL-992-16
58	Lyon, Michael	ATL-993-19
59	McCutcheon, Teresa	ATL-994-19
60	McNally, Sandra	ATL-995-19
61	House, Angela	ATL-996-19
62	Alcantara, Mariela & Hernandez-Quijano,	ATL-997-19
63	Garner, Haley	ATL-998-19
64	Davis, Russell & Davis, Kelly	ATL-999-19
65	Kinder, Marion & Kinder, Dorma	ATL-1000-19
66	McWilliams, Deanna	ATL-1001-19
67	Williams, Sherman	ATL-1002-19
68	Smith, Alisha & Smith, Steven	ATL-1003-19
69	Jasso, Eloisa	ATL-1004-19
70	Morgan, Jada Louise	ATL-1005-19
71	Adamczak, Albert	ATL-1006-19
72	Campellone, Anthony	ATL-1007-19
73	Wilhelmi, Robert & Wilhelmi, Joan	ATL-1008-19
74	Sullivan, Richard H.	ATL-1009-19
75	Bybee, Jason	ATL-1010-19
76	Montgomery, Kimono	ATL-1011-19
77	Beyer, Christopher	ATL-1012-19
78	Steadman, Jerrel	ATL-1013-19
79	Wetherington, Michelle	ATL-1014-19
80	Gaffey, Craig	ATL-1015-19
81	Bradshaw, Susan	ATL-1016-19
82	Mcadoo, Carey	ATL-1017-19
83	Zwiebel, Jeffrey & Zwiebel, Ellen	ATL-1018-19
84	Kencke, Stacey & Kencke, Lance	ATL-1019-19
85	Kame, Heather & Kame, Dustin	ATL-1020-19
86	Wilson, Stephen & Wilson, Ronda	ATL-1021-19

No.	Plaintiff(s)'s Names	ATL Docket
87	Ryan, Frank	ATL-1022-19
88	Holcomb, Ted & Holcomb, John	ATL-1023-19
89	Knight, Cleveland	ATL-1024-19
90	Esbrandt, Robert	ATL-1025-19
91	Everett, Jennifer	ATL-1026-19
92	Murphy, Male	ATL-1027-19
93	Kohler, John & Kohler, Ann	ATL-1028-19
94	Blankenship, Thomas	ATL-1029-19
95	Kunes, Jon S.	ATL-1030-19
96	Favors, Floyd & Favors, Carol	ATL-1031-19
97	Valasquez, Ruben & Velasquez, Sandra	ATL-1038-19
98	Landers, Julie	ATL-1039-19
99	Aaron, Daniel	ATL-1040-19
100	Abhold Mark & Abhold, Pam	ATL-1041-19
101	Adams, Richard	ATL-1042-19
102	Alexander, Diane	ATL-1043-19
103	Alumbaugh, Alan	ATL-1044-19
104	Alvarado, Danny	ATL-1045-19
105	Anawaty, Viola	ATL-1046-19
106	Austin, Diana	ATL-1047-19
107	Banks, Lucy	ATL-1048-19
108	Bassett, Richard	ATL-1050-19
109	Bean, Norman	ATL-1051-19
110	Benton, Timothy & Benton, Sheila	ATL-1052-19
111	Blackistone, Janice	, ATL-1053-19
112	Booth Gloriajean & Booth Russall	ATL-1054-19
113	Fontenot, Emily	ATL-1055-19
114	Fowler, Susan	ATL-1056-19
115	Gaddis, Troy	ATL-1057-19
116	Garrett, Shenecca	ATL-1058-19
117	Gateley, Brenda	ATL-1059-19
118	Gibson, Renee	ATL-1060-19
119	Gold, Ilene	ATL-1061-19
120	Gonzales, Maria	ATL-1062-19
121	Green, Margaret	ATL-1063-19
122	Griffin, Charles	ATL-1064-19
123	Guidry, Stephanie	ATL-1065-19
124	Hart, Dennis	ATL-1066-19
125	Hecker, Austin	ATL-1067-19
126	Hendrix, Patricia	ATL-1068-19
127	Hinn, John	ATL-1069-19
128	Hodge, Pamela	ATL-1070-19

No.	Plaintiff(s)'s Names	ATL Docket
129	Holman, Raymond & Holman, Cora	ATL-1071-19
130	Johnson, Cathy	ATL-1072-19
131	Johnson, Shaunta	ATL-1074-19
132	Jones, Christina	ATL-1075-19
133	Morrone, Adele	ATL-1076-19
134	Mountjoy, James, & Mountjoy, Nancy	ATL-1077-19
135	Muniz, Rick	ATL-1079-19
136	Newburn, Nakeisha	ATL-1080-19
137	Noakes, Kenneth B.	ATL-1081-19
138	Parham, Rodrick	ATL-1082-19
139	Payne, Jonathan	ATL-1083-19
140	Perez, Maria	ATL-1084-19
141	Pikuisky, Jamie & Pikuisky, Jeffrey	ATL-1085-19
142	Redding, Shonna	ATL-1086-19
143	Reynolds, Burton	ATL-1087-19
144	Rice, Melissa	ATL-1088-19
145	Schriner, Yesenia	ATL-1089-19
146	Scobee, Jerry	ATL-1090-19
147	Shackelford, Cecelia	ATL-1091-19
148	Shepherd, Terry	ATL-1092-19
149	Smith, Diane	ATL-1093-19
150	Smith, Joseph	ATL-1094-19
151	Snyder, David	ATL-1095-19
152	Strawser, Janice	ATL-1096-19
153	Taylor, Cindy	ATL-1097-19
154	Trebolo Jr., Walter	ATL-1098-19
155	Tyler, Daniel	ATL-1099-19
156	Usey, Christina	ATL-1100-19
157	Ward, Sue	ATL-1101-19
158	Moore, Rochelle	ATL-1102-19
159	Murphy, Karen	ATL-1103-19
160	Newland, Kenneth	ATL-1104-19
161	Nuri, Lindita & Nud, Fatmir	ATL-1105-19
162	Palka, Mary	ATL-1106-19
163	Perez, Joseph	ATL-1107-19
164	Rudenauer, John	ATL-1108-19
165	Skiba, Joseph	ATL-1109-19
166	Spears, Mark	ATL-1110-19
167	Thibodaux, Cecile & Thibodaux, Danny	ATL-1111-19
168	Vaughn, William	ATL-1112-19
169	Warr, Anita	ATL-1113-19
170	Waterfield, Floyd & Waterfield, Debra	ATL-1114-19

No.	Plaintiff(s)'s Names	ATL Docket
171	Wetch, Debi	ATL-1115-19
172	White, Steve	ATL-1116-19
173	Blair, Joseph	ATL-1117-19
174	Carlson, Richard	ATL-1118-19
175	Farmer, Michael	ATL-1119-19
176	Lujan, Irma & Lujan, Daniel	ATL-1120-19
177	Gonzalez, Silvia & Gonzalez, Ruben	ATL-1121-19
178	Dorman, John	ATL-1122-19
179	Robart, Richard	ATL-1123-19
180	Grayson, Erica	ATL-1124-19
181	Smith, Richard	ATL-1125-19
182	Bayer, Priscilla & Bayer, Michael	ATL-1126-19
183	Miller, Calvin	ATL-1127-19
184	Martin, Teresa	ATL-1128-19
185	Simcox, Anthony	ATL-1129-19
186	Kidwell, Michael	ATL-1130-19
187	Skinner, Tammy	ATL-1131-19
188	Moran, Thomas	ATL-1132-19
189	Groff, William	ATL-1133-19
190	Feldman, Michael	ATL-1134-19
191	Hinton, Leta	ATL-1135-19
192	McCarthy, Jack	ATL-1136-19
193	Baker, Douglas & Baker, Christal	ATL-1137-19
194	Edwards, Alvin	ATL-1138-19
195	Spence, Linda	ATL-1139-19
196	Yothers, Oran & Yothers, Linda	ATL-1140-19
197	Little, Jeffrey	ATL-1141-19
198	Claunch, Terry	ATL-1142-19
199	Deery, Nancy	ATL-1143-19
200	Pride, Richard & Pride, Sherry	ATL-1144-19
201	Hernandez, Jose & Hernandez, Ila	ATL-1145-19
202	Meerzon, Honey	ATL-1146-19
203	Goldman, Gilbert & Estate of Audrey E.	ATL-1147-19
204	Pinson, Christ	ATL-1148-19
205	Gilliam, Lakisha	ATL-1149-19
206	Jones, Bonnie	ATL-1150-19
207	Cooke, Tina & Cooke, Michael	ATL-1151-19
208	Lawrence, Rhonda	ATL-1152-19
209	Anthony, Allen	ATL-1153-19
210	Lindley, Mark	ATL-1155-19
211	Washington, Antoinett	ATL-1156-19
212	Wasson, Scott	ATL-1157-19

No.	Plaintiff(s)'s Names	ATL Docket
213	Landry, Robert	ATL-1158-19
214	Hohensee, Todd	ATL-1160-19
215	Walden, Taneka	ATL-1161-19
216	Davis, Marvin & Davis, Regina	ATL-1162-19
217	Bodsberg, Peggy	ATL-1163-19
218	Hastings, Jolanta & Hastings, William	ATL-1164-19
219	Koivula, Jason & the Estate of Susan C.	ATL-1165-19
220	Parker, Yvette	ATL-1166-19
221	Nunes, Crystal & Nunes, Edwin	ATL-1167-19
222	Casey, Sabrina & Casey, Ronnie	ATL-1168-19
223	Hill, Olga & Hill, Harley	ATL-1169-19
224	Greathouse, Barbara	ATL-1170-19
225	James, Lelia Yoma	ATL-1171-19
226	Stankevitch, William & Stankevitch, Patricia	ATL-1172-19
227	Wheeler, Irma & Wheeler, Jeffrey	ATL-1173-19
228	Liggett, Marie	ATL-1174-19
229	Seagers, Kimberly	ATL-1175-19
230	Arter, Regina	ATL-1176-19
231	Cereceres, Hilda	ATL-1177-19
232	Lowack, Valerie & Lowack, Michael	ATL-1178-19
233	Huffman, Ileatha	ATL-1179-19
234	Carlson, Bruce	ATL-1180-19
235	Coolidge, Joann	ATL-1181-19
236	Adkins, Homer & Adkins, Jennifer	ATL-1182-19
237	Collins, Mary & Collins Sr., George	ATL-1183-19
238	Hoffman, Florence & Hoffman, Richard	ATL-1184-19
239	Posey, Jennifer & Posey, Richard	ATL-1185-19
240	Walker, Janice & Walker, David	ATL-1186-19
241	Harberland, Heinz	ATL-1187-19
242	Galloway, Wayne	ATL-1188-19
243	Berry, Minnie	ATL-1189-19
244	Espino, Javier	ATL-1190-19
245	Bednarczyk, William & Bednarczyk, Kathleen	ATL-1191-19
246	Mangan, James	ATL-1192-19
247	Cash, Jeanette	ATL-1193-19
248	Akers, Calvin L.	ATL-1194-19
249	Wolf, Eric	ATL-L-952-19
250	Baker, Carol	ATL-L-927-19
252	Rogers-Krick, April	ATL-L-923-19
253	Madrigal, Yolanda and De'La Cruz, William	ATL-L-947-19
254	Edwards, David	ATL-L-922-19
255	Owens, Alan & Sheila	ATL-L-991-19



No.	Plaintiff(s)'s Names	ATL Docket
256	Haney, Rhonda Lynn/ Estate of David Harmon	ATL-L-1214-19
257	Brown, Gregory	ATL-L-1242-19
258	Delaney, Reginald	ATL-L-1243-18
259	Aquilla, Stephen A.	ATL-L-1246-19
260	Gaona, Adriana	ATL-L-1244-19
261	Timmons, Wilson	ATL-L-1245-19
262	Turner, Sharon	ATL-L-1227-19



**NOT FOR PUBLICATION WITHOUT THE APPROVAL  
OF THE COMMITTEE ON OPINIONS**

John C. Porto, J.S.C.

1201 Bacharach Boulevard  
Atlantic City, NJ 08401-4527  
609-402-0100 ext. 47820

**MEMORANDUM OF DECISION  
PURSUANT TO RULE 1:6-2(f)**

<p><b>TO:</b> David R. Kott, Esquire McCarter &amp; English, LLP Four Gateway Center 100 Mulberry Street P.O. Box 652 Newark, NJ 07101-0652 <i>Attorneys for Defendants, Johnson &amp; Johnson and Ethicon, Inc.</i></p> <p>Kelly S. Crawford, Esquire Riker, Danzig, Scherer, Hyland &amp; Perretti, LLP Headquarters Plaza One Speedwell Avenue Morristown, NJ 07962 <i>Attorneys for Defendants, Johnson &amp; Johnson and Ethicon, Inc.</i></p> <p>William M. Gage, Esquire Butler Snow, LLP Renaissance at Colony Park, Suite 1400 1020 Highland Colony Parkway P.O. Box 6010 Ridgeland, MS 39151-6010 <i>Pro Hac Vice Pending Attorneys for Defendants, Johnson &amp; Johnson and Ethicon, Inc.</i></p> <p>G. Brian Jackson, Esquire Butler Snow, LLP The Pinnacle at Symphony Place 150 3<sup>rd</sup> Avenue South, Suite 1600 Nashville, TN 37201 <i>Pro Hac Vice Pending Attorneys for Defendants, Johnson &amp; Johnson and Ethicon, Inc.</i></p>	<p>Joshua S. Kincannon, Esquire Wilentz, Goldman &amp; Spitzer, P.A. 90 Woodbridge Center Drive, Suite 900 Woodbridge, NJ 07095 <i>Attorneys for Plaintiffs</i></p> <p>Michael G. Daly, Esquire Tobias L. Millrood, Esquire Pogust Braslow &amp; Millrood, LLC Eight Tower Bridge, Suite 940 161 Washington Street Conshohocken, PA 19428 <i>Attorneys for Plaintiff</i></p> <p>James A. Barry, Esquire Locks Law Firm 801 North Kings Highway Cherry Hill, NJ 08034 <i>Attorneys for Plaintiffs</i></p> <p>Edward Ruffo, Esquire Rheingold Giuffra Ruffo &amp; Plotkin, LLP 551 5<sup>th</sup> Avenue, 29<sup>th</sup> Floor New York, NY 10176 <i>Attorneys for Plaintiffs</i></p> <p>Marc Grossman, Esquire Randi Kassan, Esquire Sanders Phillips Grossman, LLC 100 Garden City Plaza, Suite 500 Garden City, NY 11530 <i>Attorneys for Plaintiffs</i></p> <p>Sindhu S. Daniel, Esquire Baron &amp; Budd, P.C. 3102 Oak Lawn Avenue, Suite 1100 Dallas, TX 75219 <i>Attorneys for Plaintiffs</i></p>
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*Attorneys for Plaintiffs*

**RE:** In re Proceed Mesh Litigation (Proceed®  
 Surgical Mesh and Proceed® Ventral  
 Patch Hernia Mesh

**DOCKET NO.** ATL-L-794-19

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**NATURE OF MOTION: Defendants Motion to Admit William M. Gage, Esquire *Pro Hac Vice*.**

**HAVING CAREFULLY REVIEWED THE MOVING PAPERS AND ANY RESPONSE FILED, I HAVE RULED ON THE ABOVE CAPTIONED MOTION(S) AS FOLLOWS:**

Defendants, represented by David R. Kott, Esquire, brings this motion seeking an order to admit William M. Gage, Esquire *pro hac vice*. Mr. Kott is licensed to practice law within the State of New Jersey and is a member of the law firm of McCarter & English, LLP. William M. Gage, Esquire is currently a member in good standing of the bar in the highest court for the State of Mississippi, United States District Court for the Northern and Southern Districts of Mississippi, and the U.S. Court of Appeals 5<sup>th</sup> Circuit. Mr. Gage is also a partner at the law firm of Butler Snow, LLP. Mr. Gage is a licensed attorney since 1990 and has developed expertise in the claims made against the Defendants. Moreover, Mr. Gage's representation was requested by Defendants and all other parties to the litigation consent to the admission to this court, *pro hac vice*. This motion is governed by R. 1:21-2, *Appearances Pro Hac Vice*.

R. 1:21-2 states in pertinent part that an attorney in good standing of another jurisdiction, whether practicing law in such other jurisdiction as an individual or a member or employee of a partnership or an employee of a professional corporation or limited liability entity authorized to practice law in such other jurisdiction, or an attorney admitted in this state, of good standing, who does not maintain a *bona fide* office in this state, may, at the discretion of the court in which any matter is pending, be permitted, *pro hac vice*, to speak in such matter in the same manner as an attorney of this state who maintains a *bona fide* office for the practice of law in this state and who is therefore, pursuant to R. 1:21-1(a), authorized to practice in this state. No attorney shall be admitted under this rule without annually complying with R. 1:20-1(b) and R. 1:28-2 during the

period of admission. Additionally, a party must demonstrate good cause for admission *pro hac vice*. R. 1:21-2(b)(3) provides:

In civil actions the motion shall be granted only if the court finds, from the supporting affidavit, that there is good cause for such admission, which shall include at least one of the following: (emphasis added)

- (A) the cause in which the attorney seeks admission involves a complex field of law in which the attorney is a specialist, or
- (B) there has been an attorney-client relationship with the client for an extended period of time, or
- (C) there is a lack of local counsel with adequate expertise in the field involved, or
- (D) the cause presents questions of law involving the law of the foreign jurisdiction in which the applicant is licensed, or
- (E) there is need for extensive discovery or other proceedings in the foreign jurisdiction in which the applicant is licensed, or
- (F) such other reason similar to those set forth in this subsection as would present good cause for the *pro hac vice* admission.

This Court finds, based on the certifications submitted in support of the motion, the moving party articulated that Defendants requested the representation of Mr. Gage in this litigation and Mr. Gage is experienced in this complex field of products liability law. The Court finds the two certifications of counsel address a necessary element required under R. 1:21-1(a) and R. 1:21-2 for the Court to make the findings necessary at this time for *pro hac vice*. Accordingly, the Court **GRANTS** Defendants' motion.

An appropriate Order consistent with R. 1:21-2(c) is entered. Conformed copies will accompany this Memorandum of Decision. A copy of the Order and this Memorandum of Decision shall be served by the movant on all counsel of record within seven (7) days of the date hereof.

  
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 JOHN C. PORTO, J.S.C.

Date of Decision: June 7, 2019