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In re PELVIC MESH / GYNECARE LITIGATION,

FILED
JUL 23 2015
BRIAN R. MARTINOTTI
J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, BERGEN COUNTY

CIVIL ACTION

Case No. 291 CT
Master Docket No. BER-L-11575-14

Hon. Brian R. Martinotti, J.S.C.

(REVISED) SCHEDULING ORDER FOR TVT RETROPUBIC CORE DISCOVERY CASES

Counsel for the parties having met and conferred upon a scheduling order to govern the cases remaining in the TVT Retropubic core discovery pool, namely:

- Constance Cannon v. Ethicon, Inc., et al., Docket No. BER-L-12001-14;
- Joyce Cantrell and Max Cantrell v. Ethicon, Inc., et al., Docket No. BER-L-11776-14;
- Kathryn E. Corbet and Eric R. Corbet v. Ethicon, Inc., et al., Docket No. BER-L-14589-14;
- Madeline Nemcek and Richard Nemcek v. Ethicon, Inc., et al., Docket No. BER-L-12359-14; and
- Dale M. Watkins v. Ethicon, Inc., et al., Docket No. BER-L-13787-14;

and the Court having reviewed and considered the parties' proposals; and for the continued purpose of equitable, economic and expedient resolution of these cases:

IT IS ON THIS 23rd day of July, 2015,

ORDERED that:

1. Case Management Order No. 15 ("Consent Order Revising TVT Retropubic Core Discovery Schedule) entered by the Hon. Nelson C. Johnson, J.S.C. on August 26, 2014, prior to the transfer of these matters from Atlantic County to Bergen County shall be amended as set forth herein.

2. The first trial including a TVT Retropubic product will commence with jury selection on January 11, 2016 (the "Trial Date").

3. By September 1, 2015, the five sets of plaintiffs referenced above shall produce any material responsive to the disclosures required pursuant to the Stipulation Regarding Plaintiffs' Preservation and Production of Social Media, entered by the Court on January 31, 2012. If a plaintiff has no such responsive material, she must serve upon defense counsel a sworn certification so stating.

4. Depositions of Plaintiffs' experts shall be completed by October 5, 2015.

5. Depositions of Defendants' experts shall be completed by November 5, 2015.

6. Selection of the case or cases that will be the subject of the first trial setting including a TVT Retropubic product will be determined by no later than November 9, 2015. Absent agreement between the parties as to the case or cases that

will be involved in the first TVT-Retropubic trial setting, the Court will schedule a conference or teleconference to resolve the case selection dispute.

7. Pretrial motions, including summary judgment motions, Kemp motions and *in limine* motions, shall be filed and served by November 23, 2015.

8. Oppositions to pretrial motions shall be filed and served by December 23, 2015.

9. Requests for replies on pretrial motions shall be considered by the Court on a case by case basis.

10. Oral argument on the pretrial motions shall be held on a date to be determined by the Court.

11. Affirmative deposition designations for case-specific witnesses shall be exchanged at least 60 days before the Trial Date.

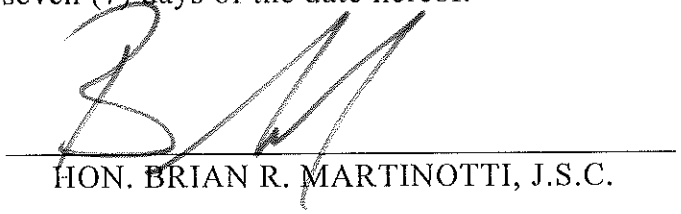
12. Objections and counter deposition designations for case-specific witnesses shall be exchanged at least 30 days before the Trial Date.

13. The Court shall hear argument on the deposition designations on a date to be determined by the Court.

14. The parties shall exchange witness lists and exhibit lists 30 days prior to the Trial Date.

15. The parties are encouraged to continue to meet and confer to reach stipulations on issues that should not require disposition by the Court; and

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all counsel of record within seven (7) days of the date hereof.



HON. BRIAN R. MARTINOTTI, J.S.C.

CONSENTED TO AS TO FORM AND ENTRY:

MAZIE SLATER KATZ
& FREEMAN, LLC
Co-Liaison Counsel for Plaintiffs

By: _____
Adam L. Slater

Dated: July 23, 2015

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

By: _____
Kelly S. Crawford

Dated: July 23, 2015

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