

FILED
JUN 11 2021
RACHELLE L. HARZ
J.S.C.

**IN RE: ALLERGAN BIOCELL
TEXTURED BREAST IMPLANT
PRODUCTS LIABILITY LITIGATION**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY**

**MCL No. 634
Master Dkt. No.: BER-L-5064-20**

All prior orders remain in full force and effect
except as modified by this Order.

**THIS DOCUMENT RELATES TO:
ALL CASES**

CASE MANAGEMENT ORDER #7

THIS MATTER having been assigned to the Honorable Rachelle L. Harz, J.S.C., pursuant to the Supreme Court's Order of May 5, 2020, designating this matter for Multicounty Litigation ("MCL") status, and the Court having conducted a Case Management Conference on June 4, 2021 (via Zoom), and for the reasons set forth on the record, and for other good cause shown;

IT IS on this 11th day of June, 2021, **ORDERED**:

I. COORDINATION WITH THE MULTIDISTRICT LITIGATION

- a. The Court continues to be in contact with District Judge Martinotti and Special Master Dickson regarding the status of the related Multidistrict Litigation ("MDL") pending in the District of New Jersey in furtherance of the goal of federal/state coordination, with the understanding that these are separate litigations.

II. CASE MANAGEMENT

- a. The Court will conduct its next case management conference as part of a joint conference with the MDL with Special Discovery Master Judge Dickson, which is already scheduled for June 15, 2021 at 11:00 a.m., via zoom.
- b. Defendants to serve Plaintiffs with a supplemental letter identifying additional custodians, and providing additional information with regard to those custodians previously identified, by June 7, 2021, as represented at the June 4, 2021 case management conference.
- c. No later than June 7, 2021, Defendants are to provide Plaintiffs' with a letter memorializing their June 3, 2021 meet and confer regarding Plaintiffs' document requests, which were further discussed during the June 4, 2021 case management conference. Plaintiffs will then review and supplement as needed and the parties will then submit jointly to the Court.
- d. The deadline for Defendants to provide their written response to MDL Plaintiffs' list of written questions, as set forth in Case Management Order ("CMO") No. 6, Section II.d., is hereby extended to June 18, 2021.
 - i. CMO No. 6, Section II.d. is hereby amended and superseded as follows:

Counsel shall continue to meet and confer in an effort to define the scope of the corporate representative deposition noticed by Plaintiffs' counsel, based on Defendants' written response to MDL Plaintiffs' list of written questions, which response shall be provided to Plaintiffs by June 18, 2021.

Following the meet and confer process, Defendants shall produce their corporate representative(s) in response to Plaintiffs' corporate representative deposition notice with regard to ESI, served in 2020, no later than July 30, 2021 and such deposition(s) shall be coordinated with the

MDL. Counsel may agree to extend the July 30, 2021 deadline into August, 2021 as may be necessary due to scheduling issues.

III. INTERNET NOTICES

- a. All orders, notices, and other pertinent documents filed with the Court common to the entire litigation shall be available on the Judiciary Web Page for Multicounty Litigation Center, which may be accessed at www.judiciary.state.nj.us/mass-t01t/index.htm. It is incumbent upon all counsel to regularly review the MCL web page for all orders and updates.

IV. E-FILING

- a. All parties shall file individual actions on e-courts in accordance with the Court's Initial CMO, dated June 19, 2020. Upon receipt of an electronically filed Complaint, wherein the data entered by Plaintiff's Counsel, does not accurately reflect the physical pleading, the Clerk is granted the authority to update the data in the Judiciary's Automated Case Management System (ACMS) to accurately reflect what is listed on the physical pleading absent a subsequent court order. All parties have consented to this provision.

V. CONTACT WITH THE COURT

- a. Counsel may correspond to the court via email:
 - i. Antonious.Sadek@njcourts.gov – Judge Harz's Law Clerk
 - ii. Jamie.Colaneri@njcourts.gov – Judge Harz's Team Leader



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