

**FILED**

**JUL 23 2015**

---

**IN RE: PELVIC MESH/BARD  
LITIGATION**

---

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

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

**CASE NO. 292  
MASTER DOCKET NO.: BER-L-17717-14**

**CIVIL ACTION**

**CASE MANAGEMENT ORDER #8**

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

**THIS MATTER** having been reassigned to the Bergen County Vicinage, from Atlantic County, pursuant to the Supreme Court's Order of October 31, 2014; having conducted a CMC; counsel appearing; for good cause shown and for the reasons set forth on the record;

**IT IS** on this 23<sup>rd</sup> day of July 2015, **ORDERED** as follows:

**PART I**

**ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE**

1. Case Management Order No. 6, entered June 11, 2015.
2. Case Management Order No. 7, entered June 29, 2015.

**PART II**

**COMPLIANCE WITH PRIOR ORDERS**

1. Case Management Order Nos. 6 and 7.

- a. The parties are proceeding with case-specific discovery, which under Case Management Orders 6 and 7, has been extended to December 31, 2015 [applies to all matters, including the bellwether cases].
- b. The parties have been and continue to meet and confer on the following issues.

### **PART III**

#### **CASE MANAGEMENT**

1. Counsel has been diligently meeting and conferring on the following matters. Counsel has requested some time to work out the following matters. This Court has GRANTED the request. Liaison Counsel will report back to the Court on August 19, 2015.
  - a. Status of Discovery
  - b. Status of Bellwether Trials
  - c. Status of Preservation Protocols
  - d. Status of Ex Parte Orders
2. MDL Status Report: The Court has been and will continue to coordinate efforts with Judge Goodwin who is presiding over the MDL.
3. This Court hereby grants Covidien's request to extend the stay until August 19, 2015. On that day, this Court will re-visit whether the stay remains appropriate.

### **PART IV**

#### **GENERAL:**

1. The next Case Management Conference is scheduled for August 19, 2015 at 12:00pm. Liaison Counsel shall report at 9:30am. **Counsel shall submit a proposed agenda seven (7) days prior to this Case Management Conference.**
2. By consent of all parties, the court may contact or be contacted on an *ex parte* basis regarding settlement issues only.
3. The court may, from time to time, conduct phone conferences with defense counsel and liaison counsel.
4. Subject to agreement by and between counsel and with permission from the Court, counsel is permitted to appear telephonically; in order to have your appearance on the record, it is counsel's responsibility to e-mail liaison counsel and the court reporter at least one hour before the proceeding with your name, firm, and party representing, indicating that you intend to appear by phone; in addition you must confirm your appearance, immediately following the proceeding. Absent the above, counsel's appearance will not be noted.
5. The official record shall be the transcript provided by the court reporter retained by counsel. The reporter shall preserve all proceedings and shall email a transcript of any court proceeding to the court within 14 days of the proceeding.
6. Counsel is permitted to serve one motion with a schedule of attached cases for *pro hac* admission. However, a separate order per case/docket number and filing fees is required.
7. The Court directs all counsel to R.1:48 and expects all counsel to abide by the parameters set forth therein.
8. All Court proceedings will start at the designated scheduled time. Counsel is expected to arrive promptly for these proceedings.

9. Counsel shall provide the Court with their preferred e-mail address by e-mailing same to Kelly Gibson at Kelly.Gibson@judiciary.state.nj.us and Yeon Ji Lee at Yeon-Ji.Lee@judiciary.state.nj.us.
10. Counsel shall copy their co-counsel and all adversaries on all e-mails and other electronic correspondence submitted to the Court [COUNSEL IS PROHIBITED FROM FILING ANY PLEADING ELECTRONICALLY]. Any such submission received after 4:30 p.m. will be deemed received at 9:00 a.m. on the next day Court is in session. Any such submission received after 4:30 p.m. on a Friday or over a weekend, will be deemed received on 9:00 a.m. on the next day Court is in session.
11. Counsel is directed to contact The Superior Court of New Jersey, Attorneys Accounts: P.O. Box 980, Hughes Justice Complex, 25 W. Market Street, Trenton, New Jersey 08625 (609) 633-8643 to establish a collateral account for any filing fees within seven (7) days.
12. Counsel is required to check the Judiciary's Web Site dedicated to this matter for any decisions/Orders/information contained therein.
13. A copy of this Order and any subsequent Orders to the Court will be posted on the Judiciary Web Site.

  
BRIAN R. MARTINOTTI, J.S.C.