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IN RE: PELVIC MESH/GYNECARE  
LITIGATION

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SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

CASE NO. 291  
MASTER DOCKET NO.: BER-L-11575-14

CIVIL ACTION

CASE MANAGEMENT ORDER #15

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

**FILED**

**MAR 18 2015**

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

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

**IT IS** on this 18<sup>th</sup> day of March 2015, **ORDERED** as follows:

**PART I**

**ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE**

1. Plaintiffs sought to bar Defendants' supplemental and revised pretrial motions. On February 27, the Court permitted the supplemental and revised pretrial motions and extended the date for both sides to submit responses to the pretrial motions.

**PART II**

**CASE MANAGEMENT**

1. In Wicker (Prolift) the parties filed their pretrial motions on February 19, 2015. As set forth in IA above, both parties' responses to pretrial motions are now due on March 30,

2015. The Court will set a date for oral argument on the pretrial motion. Trial is tentatively set for July 2015.

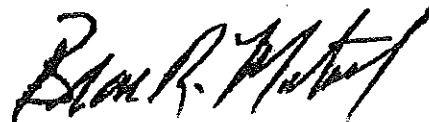
2. Liaison counsel will meet and confer on TVT R and TVT S Trial selection within the next ten business days. Case management schedules will be provided within the next ten business days.
3. The parties have conferred regarding selection of discovery pool cases for the TVT Obturator product and will be prepared to exchange and provide their selections to the Court by April 17, 2015.
4. Defendants have filed a Motion to Dismiss certain cases (identified in Schedule A to the motion) without prejudice for failure to provide a PFS, and a separate Motion to Dismiss certain cases with prejudice which have previously been dismissed without prejudice and still have not served a PFS.
  - a. The Motions to Dismiss without prejudice will be heard telephonically on a date to be set by the Court.
  - b. The Motions to withdrawn as counsel will be heard on the papers unless oppositions is filed. In the order, the court will set forth requirements for self-represented litigations and will include a valid address, valid email address, and instructions. The self-represented clients are required to follow all strictures and court orders, including checking the website for case updates.
  - c. The Court will meet and confer with Atlantic County regarding the process and venue for resolution of the Motions to Dismiss with Prejudice.

### PART III

#### GENERAL:

1. The next Case Management Conference is scheduled for May 7, 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.1:4-8 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.