

FILED

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Carol E. Higbee, P.J.Cv.

RIKER DANZIG SCHERER HYLAND & PERRETTI LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981
(973) 538-0800

Attorneys for Defendants
Johnson & Johnson and
Ethicon, Inc.

<p>IN re PELVIC MESH / GYNECARE LITIGATION,</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, ATLANTIC COUNTY</p> <p>CIVIL ACTION</p> <p>Case No. 291 CT Master Case 6341-10</p> <p>Hon. Carol E. Higbee, P.J. Cv.</p> <p>ORDER CONCERNING DEPOSITION SCHEDULING AND DOCUMENT PRODUCTION</p>
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Counsel for the parties having appeared for a case management conference on February 14, 2012, and for the continued purpose of equitable, economic and expedient resolution of these cases:

IT IS ON THIS 24 day of Feb, 2012,

ORDERED that,

1. The parties shall schedule the following corporate representative and fact witness depositions:

February 17: Marianne Kaminski

February 23 and 24: Jonathan Meek

February 24: Elizabeth Vailhe

February 28: Margaret D'Aversa

February 28 and 29: Clifford Volpe

February 29: Jessica Shen

February 29: Dharini Amin

March 1: Lynn Hall

Week March 5 (date to be selected by Plaintiffs): Sungyoon Rha

March 5 and March 6: Giselle Bonet

March 7: Jeffrey Everett

March 7 and March 8: Zenobia Walji

March 13 and 14: David Robinson

March 15: Stacy Hoffman

March 21: Richard Hutchinson

March 23: Kevin Mahar

March 26 and 27: Catherine Beath

March 27 and 28: Vincenza Zaddem

March 29 and 30: Scott Ciarrocca

April 3 and 4: Dan Lamont, Corporate Representative regarding Post Market Surveillance;¹

April 5 and 6: Piet Hinoul, Corporate Representative regarding Medical Affairs and Physician Training.²

¹ A formal response regarding the topics for which Mr. Lamont will be designated will be served separately.

² A formal response regarding the topics for which Dr. Hinoul will be designated will be served separately.

April 10 and 11: Judi Gauld, Corporate Representative on Clinical Affairs³

April 9 and 12: Mark Yale

April 23 and 24: To be determined

Week of May 8: Plaintiffs have requested that Dr. Bernard Jacquetin be scheduled for deposition on May 8 and that Dr. Michel Cosson be scheduled for deposition on May 10.⁴

2. Plaintiffs have requested that Gary Pruden be scheduled for deposition on April 13, 2012 and that Sherilynn McCoy be scheduled for deposition on April 16, 2012. Defendants have objected to the production of these witnesses and will file a motion for a protective order with the Court by February 23, 2012.

3. By February 17, 2012, Defendants shall fully respond to items 1-3 of the January 3, 2012 letter from Plaintiffs' counsel.

4. Defendants shall respond to items 4 through 7 of the January 3, 2012 letter from Plaintiffs' counsel for the Prolift and Prolift +M products, and identify the author of each document identified, as follows: (1) for documents from 2009-Present, by February 15, 2012; (2) for documents from 2005-2009, by February 20, 2012, and (3) for documents up to 2005, by March 2, 2012.

a. Upon receipt of the materials identified in paragraph 3 and 4 above, Plaintiffs shall attempt to prioritize such materials for which they are seeking supporting documentation, including but not limited to "data on file," and unpublished presentations. This provision does not supersede plaintiffs' request for eventual

³ A formal response regarding the topics for which Ms. Gauld will be designated will be served separately.

⁴ Defendants have agreed to work to facilitate the depositions of both Dr. Cosson and Dr. Jacquetin. The parties recognize that both practice and reside in France, and that if logistical problems arise with scheduling the deposition, the parties will work together to resolve them.

production of the supporting documentation for all such materials for all Products in this litigation.

5. For all documents previously produced with redactions for non-responsiveness, Defendants shall remove the non-responsive redactions and re-produce the documents by February 22, 2012, with the exception of documents that shall be the subject of Defendants' motion for a protective order, to be filed by February 23, 2012.

6. By March 2, 2012, Defendants shall serve a written response to the remaining items listed in the January 3, 2012 letter from Plaintiffs' counsel, indentifying the precise status of each request, and each area of dispute requiring resolution. Any disputes not resolved between the parties will be addressed at the next Case Management Conference.

7. The production of databases and raw data and documents from clinical studies shall be made as expeditiously as possible, on a rolling basis, to be completed by March 15, 2012.

8. Social Media required to be produced as per the Stipulation entered on January 31, 2012, shall be provided within ten days for the 14 Core Discovery Cases, and within 30 days for all cases for which PFS responses already have been served, and with PFS responses going forward.



HONORABLE CAROL E. HIGBEE, P.J. CV.