	SUPERIOR COURT OF NEW JERSEY **LAW DIVISION: BERGEN COUNTY**
IN RE: MIRENA® LITIGATION	**CASE NO. 297**
This Document Relates to All Actions	**MASTER DOCKET NO.:** **BER-L-4098-13**

FILED
MAY 21 2014
BRIAN R. MARTINOTTI
J.S.C.

CASE MANAGEMENT ORDER NO. 26

Initial Disposition Pool

This Order governs the selection of cases pending in In Re: Mirena® Litigation; Multicounty Litigation No. 297 to be included in the Initial Disposition Pool.

I. Selection of Cases for the Initial Disposition Pool.

1. Each side shall select eight cases for potential inclusion in the Initial Disposition Pool. Only cases in which a Plaintiff Fact Sheet has been sufficiently completed, as of May 2, 2014 are eligible for selection to the Initial Disposition Pool.[1] By 4 p.m. Eastern on June 3, 2014, Lead Counsel for the Plaintiffs' Steering Committee and Lead Counsel for the Defendants shall identify to the Court by email the party's selections for the Initial Disposition Pool.

2. The Court expects the parties to exercise good faith in selecting cases for potential inclusion in the Initial Disposition Pool, and to not select cases presenting unique or idiosyncratic facts that would render the results of these cases unenlightening. The Court

[1] In the event that Defendants believe that a Plaintiff Fact Sheet has not been sufficiently completed in a case selected by Plaintiffs, Defendants may petition the Court for removal of the subject case within two (2) days of a case's selection to the IDP pool. Within two (2) days of Defendants' filing, Plaintiffs must either agree to removal of the case from the IDP pool or file a response in opposition to Defendants' petition. The Court will then rule on whether the subject case can be an IDP selection. If a case is either voluntarily or ordered to be removed from the IDP pool, Plaintiffs shall identify a replacement case within two (2) days from the date of removal.

cannot police this request and will not entertain applications regarding whether one side or another has abided by it. The Court merely sets forth its expectations.

3. Each side shall choose two cases to strike from the other party's June 3, 2014Initial Disposition Pool selections. By 4 p.m. Eastern on June 17, 2014, Lead Counsel for the Plaintiffs' Steering Committee and Lead Counsel for the Defendants shall identify to the Court by email the party's strikes.

II. Voluntary Dismissal of Initial Disposition Pool Cases

4. After a case is selected for inclusion in the Initial Disposition Pool, the case may not be voluntarily dismissed without prejudice without a showing of good cause.

5. If an Initial Disposition Pool case is voluntarily dismissed by Plaintiffs, Defendants shall identify a replacement case to the Court within fourteen days of the dismissal order. If an Initial Disposition Pool case is dismissed due to resolution, Plaintiffs shall identify a replacement case to the Court within fourteen days of the dismissal order.

III. Selection of Initial Disposition Pool Cases for Trial

6. The process for selecting Initial Disposition Pool cases for trial will be established by a future Order. When that Order should be entered will be discussed at the next conference.

HONORABLE BRIAN R. MARTINOTTI