FILED

DEC 2 2015

BRIAN R. MARTINOTTI
J.S.C.

IN RE: PELVIC MESH/BARD LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

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

CIVIL ACTION

CASE MANAGEMENT ORDER #11

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 2nd day of December 2015, **ORDERED** as follows:

PART I

ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

1. Case Management Order No. 10, entered October 21, 2015.

PART II

COMPLIANCE WITH PRIOR ORDERS

1. The parties are conferring on a discovery schedule and the addition of cases to the bellwether trial pool.

PART III

CASE MANAGEMENT

[The parties have been and shall continue to participate in settlement discussions.[1]]

1. A list/proposed Case Management Order shall be submitted by January 15, 2016.
2. **Status of Discovery** – Discovery end date is March 31, 2016. The parties shall meet and confer about a discovery schedule prior to the next Case Management Conference.
3. **Status of Covidien Stay on Discovery** – The Covidien Stay shall be extended until the next Case Management Conference.
4. **Bellwether Pre-Trial Schedule**: Counsel shall provide a status at the next Case Management Conference. If settlement has not significantly advanced, a discovery schedule and bellwether selection will be implemented
5. Mr. Slater shall contact Mr. Stuart and advise the Court as to the status of the "Caldera" cases.

PART IV

GENERAL:

1. The next Case Management Conference is scheduled for January 20, 2016 at 11 a.m. 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 <u>only</u>.

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[1] As of today there have been approximately 600 on the 1900 matters have been resolved. Stipulations of Dismissals/Orders to be entered.

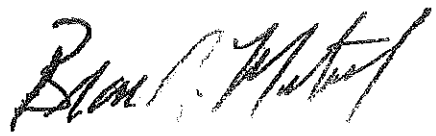
3. The court may, from time to time, conduct phone conferences with defense counsel and liaison counsel.
4. Subject to agreement by and between counsel and with permission from the Court, counsel is permitted to appear telephonically; in order to have your appearance on the record, it is counsel's responsibility 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 you 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 Anna Celentano at Anna.Celentano@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.