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 #9

FILED

SEP 16 2015

BRIAN R. MARTINOTTI
J.S.C.

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 16th day of September 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.
3. Case Management Order No. 8, entered July 23, 2015

PART II

COMPLIANCE WITH PRIOR ORDERS

1. Case Management Order No. 8.

a. The parties are proceeding with case-specific discovery and will be prepared to update the Court regarding the status of discovery and other matters raised at the last conference.

PART III

CASE MANAGEMENT

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

1. **Status of Discovery** – Discovery end date is hereby extended until March 31, 2016.
2. **Status of Covidien Stay on Discovery** – The Covidien Stay shall be extended until October 21, 2015.
3. **Bellwether Pre-Trial Schedule**: Based on the present status of the bellwether matters, counsel shall meet and confer to determine if additional cases should be added to the bellwether pool.
4. Adam Slater, Esq. is hereby appointed as co-liaison counsel for plaintiffs.

PART IV

GENERAL:

1. The next Case Management Conference is scheduled for October 21, 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 <u>only</u>.

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 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.