FILED

JUL 20 2016

RACHELLE L. HARZ
J.S.C.

IN RE: PELVIC MESH/GYNECARE

LITIGATION

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

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

CIVIL ACTION

CASE MANAGEMENT ORDER #29

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; 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 20th day of July 2016, **ORDERED** as follows:

PART I

I. **ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE**

A. Case Management Order #28 entered on June 7, 2016

PART II

II. **COMPLIANCE WITH PRIOR ORDERS**

N/A

PART III

III. **CASE MANAGEMENT**

A. TVT-O Core Discovery Cases

1. Korzeb. The Korzeb case has been removed from the Court's calendar.

2. Smith. The Parties shall continue to meet and confer regarding a Pre-trial Scheduling Order. Discovery shall continue in anticipation of a trial scheduled for January 9, 2017.

3. Velazquez. Defendants filed an OTSC as requested by the Court. Plaintiffs filed Opposition and an Amended Complaint. The Court determined that Defendants' June 9, 2016 submissions were thus moot in view of Plaintiff's filing of an Amended Complaint on June 16, 2016 and the hearing for the Order to Show Cause was removed from the Court's calendar.

B. The Parties continue to meet and confer regarding Plaintiffs' requests involving Mentor cases.

C. TVT Secur Core Discovery Cases

1. The Parties continue to meet and confer regarding the scheduling order for the remaining Core Discovery cases of Cook, Nelson and Sheppard. A trial is tentatively scheduled for March 20, 2017.

a. Plaintiffs shall submit a brief to the Court by August 15, 2016 on the issue of holding a multi-plaintiff trial for the TVT Secur cases. Defendants shall submit Opposition by September 9, 2016. Plaintiffs shall submit their Reply by September 15, 2016.

D. Mixed Ethicon Product Cases

1. The Parties will continue to meet and confer to select Mixed-Product Core Discovery Cases. The Parties shall discuss the process through which cases would be selected and the pool of cases from which the selection would be made.

E. Miscellaneous

1. Defendants used best efforts to provide Plaintiffs with a list of active cases naming counsel that has appeared and products and served the list in accordance with the Court order on June 21, 2016. Plaintiffs' response is due on or before July 21, 2016.

2. The Court has granted Plaintiffs' request to suspend the deadlines of the Common Benefit Order of March 22, 2016.

PART IV

IV. GENERAL

1. The next Case Management is scheduled for August 24, 2016 at 10:00 a.m. in Room 359. Liaison Counsel shall report at 8:30 a.m. **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 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.1:4-8 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 Anna Celentano at Anna.Celentano@njcourts.gov and Yeon Ji Lee at Yeon-Ji.Lee@njcourts.gov.

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.

RACHELLE L. HARZ, J.S.C.