
**IN RE: PELVIC MESH/GYNECARE
LITIGATION**

FILED
JAN 28 2026
GREGG A. PADOVANO, J.S.C.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

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

CIVIL ACTION

**CASE MANAGEMENT
ORDER #127**

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 on January 13, 2026; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 28th day of January, 2026, **ORDERED** as follows:

I. ADMINISTRATIVE:

The previously submitted CMO 125 following the October 15, 2025, CMC was not entered, and its contents are superseded by those set forth in this order, CMO 127. There is no CMO 125; that sequential number has been skipped. This Order and CMO 126 entered on December 11, 2025, are the next sequential case management orders.

II. TRIAL SETTING.

A. Trial Settings.

- a. The parties will report to the Court at the next CMC about the status of activated cases from which a next trial setting might be set.

III. CASE MANAGEMENT.

A. Status of Remaining Active Cases Subject to Pre-CMO 126 Discovery Activation Orders. Not including the cases activated under CMO 126 entered on December 11, 2025, and discussed below, there remain a total of

63 active cases.¹ *Exhibit A identifies the active cases that remain in ongoing discovery.* Of the 63 cases, there are 58 that are under the ongoing requirement to proceed with records collection, production of authorizations, and all other outstanding discovery obligations.² The 58 cases are subject to multiple different scheduling orders as follows.

1. **Cases Subject to Alternative or Individual Scheduling Orders (17 cases).** Attached at Exhibit B is a list of cases subject to Alternative &/or Individual Case Scheduling Orders. Copies of those orders will not be appended to this CMO 127.
 2. **CMO 116 Cases Subject to CMO 117 Scheduling Order Entered April 1, 2025.** Of the 107 activated cases, 1 currently remains active and compliant (Eby, Shirley (deceased) BER-L-16222-14), but not subject to a scheduling order.
 3. **Cases Subject to CMO 119 Scheduling Order Entered April 22, 2025.** No cases remain subject to CMO 119 Scheduling Order.
 4. **Cases Subject to CMO 123 Scheduling Order Entered September 24, 2025 (7 cases).** Attached as Exhibit C are the Cases that remain active and subject to CMO 123.
- B. **CMO 126 Discovery Activation Order.** CMO 126, entered on December 11, 2025, activated an additional 200 MSA Exhibit B cases and contained the milestone deadline of January 9, 2025, for updating of the PFS and updated authorizations. Of the 200 cases activated by CMO 126, 141³ remain active and 0 are currently compliant. Defendants will be proceeding with deficiency letters and notices of imminent motion practice.

PARTIES SHALL NOTE THAT COMPLIANCE WITH PFS-RELATED DEADLINES FOR ALL ACTIVE CASES, REQUIRES THE PROVISION, *INTER ALIA*, OF THE MOST CURRENT UPDATED RECORDS RELEASE AUTHORIZATIONS, which were appended to the "Updated and Amended Notice and Order Regarding Service of Plaintiff's Fact Sheets, Required Records Authorizations and Applications for Extensions of Service Dates, entered on September 16, 2025. This Order can be located on the MCL website at:

<https://www.njcourts.gov/sites/default/files/mcl/orders-decisions/pelvic-mesh-gynecare/general/updatednotice.pdf?cb=d1d88fe2>

¹ These 63 remaining cases include cases activated under CMOs 74, 105, 116/117 and 121.

² Four cases are not proceeding with discovery because there are pending motions to dismiss fully briefed since February 28, 2025: Flor Cruz v. Ethicon, Inc., et al., BER-L-3323-20, Connie Hutchens v. Ethicon, Inc., et al., BER-L-8289-21, Nielen McGarity v. Ethicon, Inc., et al., BER-L-5305-21, Meghan & Kirk Jackson v. Ethicon, Inc., et al., BER-L-5332-23. The fifth is the Eby case from CMO 116/117.

³ The 141 count does not include the 52 cases subject to the Bernstein Liebhard Omnibus Order of DWP Submitted on 1/21/26.

and the current PFS with the current records release authorizations can be located at:

<https://www.njcourts.gov/sites/default/files/mcl/pelvic-mesh---gynecare/plaintifffactsheet.pdf>

- C. **Active Cases Not Subject to any Scheduling Order.** Any Plaintiff with a compliant case that is not subject to a current scheduling order, shall evaluate records collection status and meet and confer with Defense Counsel to assess whether sufficient medical records have been collected to begin scheduling plaintiffs' depositions. As those cases progress, Plaintiff and Defense Counsel shall likewise meet and confer as to scheduling plaintiffs' depositions.

IV. ADDITIONAL CASES TO BE ACTIVATED

- A. **Newly Filed Cases.** All cases filed since the entry of CMO 105 are considered activated. Such cases are not to await any specific activation order. The below newly filed cases have specifically been identified since the last case management conference and are listed below by way of example. Records collection shall proceed immediately upon timely service, as required by the current protocols, of fully-compliant plaintiffs' fact sheets and all required current authorizations. Plaintiffs' depositions shall be scheduled as soon as practicable upon collection of the requisite records. The following are identified among those in this category.

1. Mullins, Lorie & Crystal v. Ethicon, Inc., et al., BER-L-8475-25
2. O'Brien, Janet v. Ethicon, Inc., et al., BER-L-7280-24 (Note: case was filed on 12/13/24 & served on 1/29/25 but inadvertently not included in one of the previous Additional Cases to be Activated sections of a CMC Agenda and therefore not included in any specific CMO to date. It is currently subject to the CMO 123 scheduling deadlines)

All newly filed cases are considered active and must comply with the MCL protocols regarding service of PFS. The proper authorization forms currently can be found appended to the Updated PFS protocol entered by the Court on September 16, 2025.

- B. **Activation of MSA Exhibit B Cases.** There remain active on the docket over 560 cases involving plaintiffs who allege they have a currently marketed Ethicon SUI product implanted, but have not had a revision surgery, which cases are identified on Exhibits B to their plaintiffs' firms' Master Settlement Agreements ("MSA"). Cases in this category were activated under CMOs 116/117, 121 and 123. To the extent the cases are active, their discovery status is covered by Paragraph III(A), above. When appropriate, Defendants will submit another proposed order to the Court to activate additional cases in this category.

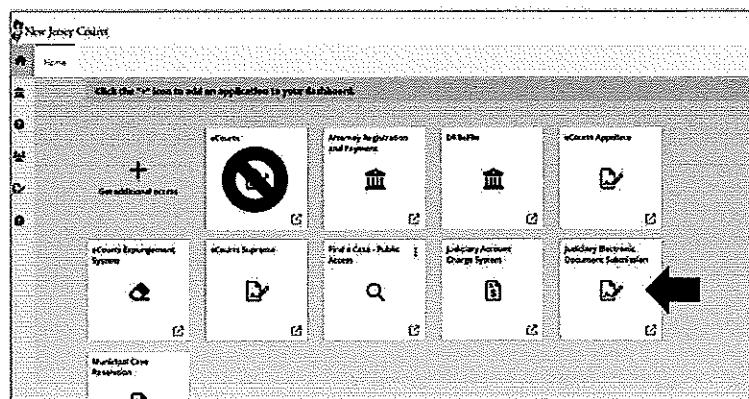
1. **CMO 116 and CMO 117.** The only active CMO 116 case remaining is Eby, Shirley BER-L-16222-14. Case management Order 117 entered on April 1, 2025, contained the milestone deadlines for, among other things, update of PFS and updated authorizations.
2. **CMO 121.** CMO 121 was entered on May 30, 2025. CMO 121 activated an additional 37 cases. Currently 21 cases remain active.
3. **CMO 123** CMO 123 (Amended) was entered on October 15, 2025. CMO 123 set forth an updated discovery completion schedule for 28 of the previously activated cases. Currently there are 7 cases that remain subject to CMO 123 (Amended).

V. MOTIONS & COURT SUBMISSIONS.

1. **Deceased Plaintiff cases.** Defendants will be filing applications to the Court regarding two categories of cases: (1) Cases where the plaintiff was deceased before the filing of the Complaint and no proper party in interest was named; (2) Cases in which the Plaintiff died after the filing of the Complaint but no substitution for a prooer party in Interest has been filed.
2. **Pending Motions.** The Court was provided with the list of motions pending and submitted orders for entry as per the Defendants records with the Agenda for the 1/13/26 CMC and Defense Liaison Counsel continues to work with the Clerk's office to track the status of same.

VI. FILINGS ON ECOURTS

All Counsel and parties to this MCL are reminded that this is a JEDS (Judiciary Electronic Document Submission) system litigation. Counsel are **not** to use eCourts to file pleadings and other documents. This MCL requires paper filing or filing through the JEDS submission system.

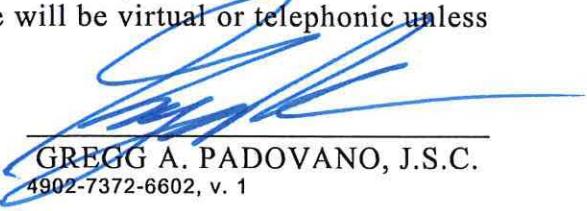


Any fees charged through an improper submission on eCourts will not be refunded. Please see CMO 96 regarding service and filing notifications. Also, **JEDS submission does not equate with service. Anything submitted via JEDS (or in paper format) must be served on all counsel of record separately in accordance with the Rules of**

Court and/or protocols in this MCL (unless counsel have consented to receive service via email only).

VII. MISCELLANEOUS

The next case management conference will be held on **Thursday, February 26, 2026** at 10:30 a.m. for liaison counsel only (via Telephone or Zoom) and at 11:00 a.m. for all counsel via telephone on the record; The Conference will be virtual or telephonic unless otherwise directed by Judge Padovano.



GREGG A. PADOVANO, J.S.C.
4902-7372-6602, v. 1

Exhibit A

CMO 127 Exhibit A
Activated Cases That Remain In Ongoing Discovery

	Plaintiff/Case Name	Docket #	PL Firm(s)
1	Adkins, Jean	BER-L-014741-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
2	Altice, Christina	BER-L-12262-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
3	Anderson, Linda and Howard	BER-L-014739-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
4	Anderson, Shirley and David	BER-L-014730-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
5	Ast, Ruby	BER-L-014725-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
6	Bakaj, Deborah	BER-L-002735-23	Anapol Weiss
7	Barber, Wendi and Donald	BER-L-12412-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
8	Barney, Heather and Reed	BER-L-004312-23	Anapol Weiss
9	Beal, Jennifer	BER-L-003101-23	Anapol Weiss
10	Brown, Chantal	BER-L-4658-25	Anapol Weiss
11	Bunn, Jodi	BER-L-1202-24	Anapol Weiss
12	Colon, Marilyn	BER-L-4308-23	Stark & Stark
13	Cruz, Flor ¹	BER-L-3342-20	Schroeder Law Office
14	Diaz-Ortiz, Ramonita	BER-L-14771-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
15	Eby, Shirley ²	BER-L-016222-14	Sanders Viener Grossman, LLP
16	Eliot-Johnson, Dawn and Christopher	BER-L-7271-24	Anapol Weiss

¹ Not in active discovery due to pending MTD fully briefed as of February 28, 2025.

² Compliant with CMO 116/117, but not subject to a scheduling order.

	Plaintiff/Case Name	Docket #	PL Firm(s)
17	Estrada, Connie	BER-L-11962-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
18	Fillion-Reznick, Marsha	BER-L-14854-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
19	Franke, Jacalyn	BER-L-007971-19	Johnson Law Group
20	Gosen, Doris	BER-L-14815-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
21	Griffin, Vaneselle	BER-L-001284-23	Motley Rice New Jersey, LLC; Wagstaff Law Firm
22	Grooms, Nancy	BER-L-14799-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
23	Guillette, Germaine	BER-L-14797-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
24	Hale, Tina	BER-L-006043-23	Motley Rice New Jersey, LLC Wagstaff Law Firm
25	Hall, Ashley	BER-L-1788-25	Stark & Stark
26	Harrill, Barbara and James	BER-L-006460-23	Anapol Weiss
27	Haskins, Wendy	BER-L-3173-24	Anapol Weiss
28	Haubrich, Lynn	BER-L-14970-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
29	Holler, Barbara	BER-L-005539-23	Anapol Weiss
30	Hutchens, Connie ³	BER-L-8289-21	Schroeder Law Office
31	Jackson, Meghan and Kirk ⁴	BER-L-5332-23	Javerbaum Wurgafit Hicks Kahn Wikstrom & Sinins, PC
32	Jewell, Holly	BER-L-14869-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC

³ Not in active discovery due to pending MTD fully briefed as of February 28, 2025.

⁴ Not in active discovery due to pending MTD fully briefed as of February 28, 2025.

	Plaintiff/Case Name	Docket #	PL Firm(s)
33	Johnson, Finesha	BER-L-001492-24	Cohen Placitella & Roth, PC
34	Johnson, Tori	BER-L-3236-24	Anapol Weiss
35	Leeson, Heidi and Clifford	BER-L-003677-23	Anapol Weiss
36	McGarity, Nielsen ⁵	BER-L-5305-21	Schroeder Law Office
37	McWilliams, Linda S.	BER-L-5604-25	Cohen, Placitella & Roth, P.C.
38	Mizsak, Deana	BER-L-6044-23	Stark & Stark
39	Newman, Cheryl and Clifford	BER-L-002795-23	Motley Rice New Jersey, LLC; Wagstaff Law Firm
40	O'Brien, Janet	BER-L-7280-24	Stark & Stark
41	Ohana, Solange	BER-L-006513-22	Motley Rice New Jersey, LLC; Wagstaff Law Firm
42	Orison, Kristy	BER-L-003676-23	Anapol Weiss
43	Perez, Dorinda and Diego	BER-L-15052-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
44	Polk, Aleah	BER-L-15034-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
45	Porter, Dianne	BER-L-15033-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
46	Prudente, Jennifer and Michael	BER-L-014083-14	Messa & Associates
47	Quinn, Erin	BER-L-001303-24	Anapol Weiss
48	Reed, Donnette and Austin	BER-L-11651-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
49	Reynolds, Pamm and Keith	BER-L-11146-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
50	Richmond, Summer and Valladares, Melvin	BER-L-3274-24	Anapol Weiss
51	Ritchie, Pamela	BER-L-15028-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC

⁵ Not in active discovery due to pending MTD fully briefed as of February 28, 2025.

	Plaintiff/Case Name	Docket #	PL Firm(s)
52	Rosales, Florence	BER-L-15020-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
53	Salazar, Sharhonda and Joshua	BER-L-1095-24	Anapol Weiss
54	Sands, Clara	BER-L-001448-24	Anapol Weiss
55	Shirrel, Cynthia	BER-L-6343-23	Stark & Stark
56	Sierra, Sharlene	BER-L-002960-20	Johnson Law Group
57	Sotomayor, Mary Ann and Alex	BER-L-005107-23	Motley Rice New Jersey, LLC Wagstaff Law Firm
58	Sowka, Shauna	BER-L-2445-25	Anapol Weiss
59	Spivey, Jeriylea	BER-L-001423-23	Motley Rice New Jersey, LLC; Wagstaff Law Firm
60	Steiner, Katherine	BER-L-5888-23	Stark & Stark
61	Stoffregen, Vivian	BER-L-6410-23	Stark & Stark
62	Trice, Tasha	BER-L-6162-23	Stark & Stark
63	Troyer, Deborah R. ⁶	BER-L-005133-19	Maggs & McDermott

⁶ Troyer, Deborah R. (BER-L-005133-19) was originally activated pursuant to CMO 74, entered on August 18, 2021. It is the only case that remains active from the activation orders entered prior to CMO 105, namely CMOs 74 and 84.

Exhibit B

CMO 127 Exhibit B
Activated Cases Subject to Individual Scheduling Orders

	Plaintiff/Case Name	Docket #	PL Firm(s)
1	Colon, Marilyn ¹	BER-L-004308-23	Stark & Stark
2	Hall, Ashley ²	BER-L-001788-25	Stark & Stark
3	Harrill, Barbara and James ³	BER-L-006460-23	Anapol Weiss
4	Holler, Barbara ⁴	BER-L-005539-23	Anapol Weiss
5	Johnson, Tori ⁵	BER-L-003236-24	Anapol Weiss
6	Leeson, Heidi and Clifford ⁶	BER-L-003677-23	Anapol Weiss
7	Mizsak, Deana ⁷	BER-L-006044-23	Stark & Stark
8	O'Brien, Janet ⁸	BER-L-007280-24	Stark & Stark
9	Prudente, Jennifer and Michael ⁹	BER-L-014083-14	Messa & Associates
10	Quinn, Erin ¹⁰	BER-L-001303-24	Anapol Weiss
11	Richmond, Summer and Valladares, Melvin ¹¹	BER-L-003274-24	Anapol Weiss
12	Salazar, Sharhonda and Joshua ¹²	BER-L-001095-24	Anapol Weiss
13	Sands, Clara ¹³	BER-L-001448-24	Anapol Weiss

¹ Individual Scheduling Order Submitted 1/15/26

² Individual Scheduling Order Submitted 1/15/26

³ Order to Extend CMO 119 Deadlines for Certain Activated Cases Entered 8/4/25

⁴ Order to Extend CMO 119 Deadlines for Certain Activated Cases Entered 8/4/25

⁵ Order to Extend Deadlines Submitted 1/22/26

⁶ Order to Extend CMO 119 Deadlines for Certain Activated Cases Entered 8/4/25

⁷ Individual Scheduling Order Submitted 1/15/26

⁸ Individual Scheduling Order Submitted 1/15/26

⁹ Order to Extend CMO 119 Deadlines Entered 7/25/25

¹⁰ Order to Extend CMO 119 Deadlines for Certain Activated Cases Entered 8/4/25

¹¹ Order Granting DEF Motion to Extend Discovery Entered 12/11/25

¹² Order to Extend Deadlines Submitted 1/15/26

¹³ Order to Extend Deadlines Submitted 1/22/26

	Plaintiff/Case Name	Docket #	PL Firm(s)
14	Shirrel, Cynthia ¹⁴	BER-L-006343-23	Stark & Stark
15	Sotomayor, Mary Ann and Alex ¹⁵	BER-L-005107-23	Motley Rice New Jersey, LLC Wagstaff Law Firm
16	Steiner, Katherine ¹⁶	BER-L-005888-23	Stark & Stark
17	Trice, Tasha ¹⁷	BER-L-006162-23	Stark & Stark

¹⁴ Individual Scheduling Order Submitted 1/15/26

¹⁵ Order to Extend Deadlines Submitted 1/12/26

¹⁶ Individual Scheduling Order Submitted 1/15/26

¹⁷ Individual Scheduling Order Submitted 1/15/26

Exhibit C

CMO 127 Exhibit C
Activated Cases Subject to CMO 123

	Plaintiff/Case Name	Docket #	PL Firm(s)
1	Bakaj, Deborah	BER-L-002735-23	Anapol Weiss
2	Eliot-Johnson, Dawn and Christopher	BER-L-007271-24	Anapol Weiss
3	Franke, Jacalyn	BER-L-007971-19	Johnson Law Group
4	Haskins, Wendy	BER-L-003173-24	Anapol Weiss
5	Johnson, Finesha	BER-L-001492-24	Cohen Placietella & Roth, PC
6	Orison, Kristy	BER-L-003676-23	Anapol Weiss
7	Stoffregen, Vivian	BER-L-006410-23	Stark & Stark