

FILED

MAR 23 2026

GREGG A. PADOVANO, J.S.C.

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IN RE: PELVIC MESH/GYNECARE  
LITIGATION

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SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: BERGEN COUNTY

CASE NO. 291

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

CIVIL ACTION

CASE MANAGEMENT  
ORDER #128

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 February 26, 2026; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 24<sup>th</sup> day of March, 2026, **ORDERED** as follows:

**I. 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.

**II. 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 60 active cases.<sup>1</sup> *Exhibit A identifies the active cases that remain in ongoing discovery.* Of the 60 cases, there are 56 that are under the ongoing requirement to proceed with records collection, production of

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<sup>1</sup> These 60 remaining cases include cases activated under CMOs 74, 105, 116/117 and 121.

authorizations, and all other outstanding discovery obligations.<sup>2</sup> 23 cases are subject to multiple different scheduling orders as follows.

1. **Cases Subject to Alternative or Individual Scheduling Orders (21 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 128.
  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. **Case Subject to CMO 123 Scheduling Order Entered September 24, 2025 (1 case)**. 1 case currently remains subject to CMO 123 (Haskins, Wendy BER-L-003173-24).
- 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, 105 remain active and 0 are currently compliant. Defendants served 101 Notices of Imminent Motion to dismiss for failure to comply. Motions are anticipated in the majority of these cases if agreements are not reached with plaintiffs' counsel to resolve in an alternative manner. Defendants are currently providing compliance deadline extensions on a case by case basis.

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>

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

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<sup>2</sup> 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.

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

### III. 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. Evensen, Stephanie v. Ethicon, Inc., et al., BER-L-001822-26
2. Colbert, Cindy & Marvin v. Ethicon, Inc., et al., BER-L-002384-26

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 500 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.

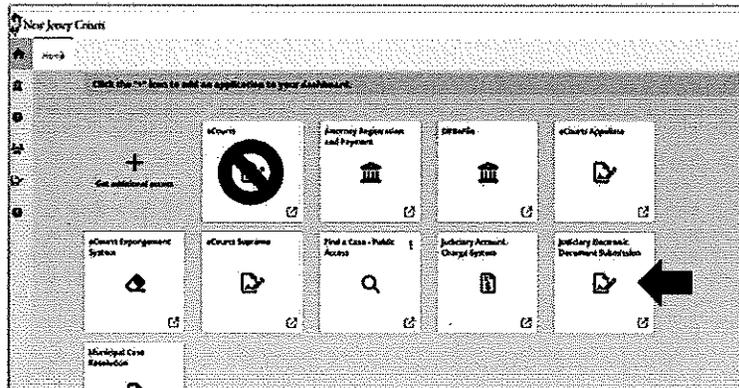
3. **CMO 123** CMO 123 (Amended) was entered on October 15, 2025. CMO 123 set forth an updated discovery completion schedule for 28 of the previously activated cases. Currently there is 1 case that remains subject to CMO 123 (Amended): Haskins, Wendy BER-L-003173-24.

#### IV. MOTIONS & COURT SUBMISSIONS.

1. **Deceased Plaintiff cases.** Defendants filed an application to the Court on February 17, 2026 regarding 21 Cases in which the Plaintiff died after the filing of the Complaint but no substitution for a proper party in Interest has been filed. Of the 21 cases, 4 have since been dismissed. *Exhibit C is a list of the 21 cases and identifies the 4 that have been dismissed and indicates those subject to CMO 126 activation.*
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 2/26/26 CMC and Defense Liaison Counsel continues to work with the Clerk's office to track the status of same.

#### V. FILINGS ON ECOURTS

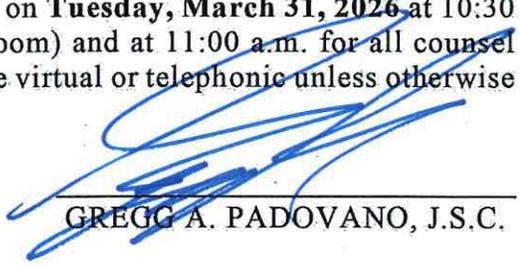
All Counsel and parties to this MCL are reminded that this is a JEDS (Judiciary Electronic Document Submission) system litigation. Counsel are **not** to use eCourts to file pleadings and other documents. This MCL requires paper filing or filing through the JEDS submission system.



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).**

#### VI. MISCELLANEOUS

The next case management conference will be held on **Tuesday, March 31, 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.



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GREGG A. PADOVANO, J.S.C.

# Exhibit A

**CMO 128 Exhibit A**

**Cases That Remain Active for Ongoing Discovery**

	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>
1	Adkins, Jean	BER-L-014741-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
2	Altice, Christina	BER-L-012262-14	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-012412-14	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-004658-25	Anapol Weiss
11	Bunn, Jodi	BER-L-001202-24	Anapol Weiss
12	Colon, Marilyn	BER-L-004308-23	Stark & Stark
13	Cruz, Flor <sup>1</sup>	BER-L-003342-20	Schroeder Law Office
14	Diaz-Ortiz, Ramonita	BER-L-014771-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
15	Eby, Shirley <sup>2</sup>	BER-L-016222-14	Sanders Viener Grossman, LLP

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

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

	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>
16	Eliot-Johnson, Dawn and Christopher	BER-L-007271-24	Anapol Weiss
17	Estrada, Connie	BER-L-011962-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
18	Fillion-Reznick, Marsha	BER-L-014854-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
19	Gosen, Doris	BER-L-014815-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
20	Griffin, Vaneselle	BER-L-001284-23	Motley Rice New Jersey, LLC; Wagstaff Law Firm
21	Grooms, Nancy	BER-L-014799-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
22	Guillette, Germaine	BER-L-014797-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
23	Hale, Tina	BER-L-006043-23	Motley Rice New Jersey, LLC Wagstaff Law Firm
24	Hall, Ashley	BER-L-001788-25	Stark & Stark
25	Harrill, Barbara and James	BER-L-006460-23	Anapol Weiss
26	Haskins, Wendy	BER-L-003173-24	Anapol Weiss
27	Haubrich, Lynn	BER-L-014970-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
28	Holler, Barbara	BER-L-005539-23	Anapol Weiss
29	Hutchens, Connie <sup>3</sup>	BER-L-008289-21	Schroeder Law Office
30	Jackson, Meghan and Kirk <sup>4</sup>	BER-L-005332-23	Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, PC
31	Jewell, Holly	BER-L-014869-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC

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

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

	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>
32	Johnson, Finesha <sup>5</sup>	BER-L-001492-24	Cohen Placitella & Roth, PC
33	Johnson, Tori	BER-L-003236-24	Anapol Weiss
34	Leeson, Heidi and Clifford	BER-L-003677-23	Anapol Weiss
35	McGarity, Nielen <sup>6</sup>	BER-L-005305-21	Schroeder Law Office
36	Mizsak, Deana	BER-L-006044-23	Stark & Stark
37	Newman, Cheryl and Clifford	BER-L-002795-23	Motley Rice New Jersey, LLC; Wagstaff Law Firm
38	O'Brien, Janet	BER-L-007280-24	Stark & Stark
39	Ohana, Solange	BER-L-006513-22	Motley Rice New Jersey, LLC; Wagstaff Law Firm
40	Orison, Kristy	BER-L-003676-23	Anapol Weiss
41	Perez, Dorinda and Diego	BER-L-015052-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
42	Polk, Aleah	BER-L-015034-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
43	Porter, Dianne	BER-L-015033-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
44	Prudente, Jennifer and Michael	BER-L-014083-14	Messa & Associates
45	Quinn, Erin	BER-L-001303-24	Anapol Weiss
46	Reed, Donnette and Austin	BER-L-011651-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
47	Reynolds, Pamm and Keith	BER-L-011146-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC

<sup>5</sup> A consent order to dismiss this case was submitted to the Court on, but has yet to be entered.

<sup>6</sup> Not in active discovery due to pending MTD fully briefed as of February 28, 2025.

	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>
48	Richmond, Summer and Valladares, Melvin	BER-L-003274-24	Anapol Weiss
49	Ritchie, Pamela	BER-L-015028-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
50	Rosales, Florence	BER-L-015020-14	Sanders Viener Grossman, LLP; Andrus Hood & Wagstaff, PC
51	Salazar, Sharhonda and Joshua	BER-L-001095-24	Anapol Weiss
52	Sands, Clara	BER-L-001448-24	Anapol Weiss
53	Sierra, Sharlene	BER-L-002960-20	Johnson Law Group
54	Sotomayor, Mary Ann and Alex	BER-L-005107-23	Motley Rice New Jersey, LLC Wagstaff Law Firm
55	Sowka, Shauna	BER-L-002445-25	Anapol Weiss
56	Spivey, Jeriylea	BER-L-001423-23	Motley Rice New Jersey, LLC; Wagstaff Law Firm
57	Steiner, Katherine	BER-L-005888-23	Stark & Stark; Brenes Law Group
58	Stoffregen, Vivian	BER-L-006410-23	Stark & Stark
59	Trice, Tasha	BER-L-006162-23	Stark & Stark
60	Troyer, Deborah R. <sup>7</sup>	BER-L-005133-19	Maggs & McDermott

<sup>7</sup> 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 128 Exhibit B**

**Activated Cases Subject to Individual Scheduling Orders**

	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>	<b>Governing Scheduling Order Entered Date</b>
1	Bakaj, Deborah	BER-L-002735-23	Anapol Weiss	02/27/26
2	Colon, Marilyn	BER-L-004308-23	Stark & Stark	02/04/26
3	Eliot-Johnson, Dawn & Christopher	BER-L-007271-24	Anapol Weiss	02/27/26
4	Hall, Ashley	BER-L-001788-25	Stark & Stark	02/04/26
5	Harrill, Barbara & James	BER-L-006460-23	Anapol Wiess	08/04/25
6	Holler, Barbara	BER-L-005539-23	Anapol Weiss	02/27/26
7	Johnson, Finesha	BER-L-001492-24	Cohen Placietella & Roth, PC	02/04/26
8	Johnson, Tori	BER-L-003236-24	Anapol Weiss	02/04/26
9	Leeson, Heidi & Clifford	BER-L-003677-23	Anapol Weiss	08/04/25
10	Mizsak, Deana	BER-L-006044-23	Stark & Stark	02/04/26
11	O'Brien, Janet	BER-L-007280-24	Stark & Stark	02/04/26
12	Orison, Kristy	BER-L-003676-23	Anapol Weiss	02/27/26
13	Prudente, Jennifer & Michael	BER-L-014083-14	Messa & Associates	07/25/25
14	Quinn, Erin	BER-L-001303-24	Anapol Weiss	08/04/25
15	Richmond, Summer & Valladares, Melvin	BER-L-003274-24	Anapol Weiss	02/04/26
16	Salazar, Sharhonda & Joshua	BER-L-001095-24	Anapol Weiss	02/04/26
17	Sands, Clara	BER-L-001448-24	Anapol Weiss	02/04/26
18	Sotomayor, Mary Ann & Alex	BER-L-005107-23	Motley Rice New Jersey, LLC Wagstaff Law Firm	02/04/26
19	Steiner, Katherine	BER-L-005888-23	Stark & Stark; Brenes Law Group	02/04/26
20	Stoffregen, Vivian	BER-L-006410-23	Stark & Stark	02/04/26
21	Trice, Tasha	BER-L-006162-23	Stark & Stark	02/04/26

# Exhibit C

**CMO 128 Exhibit C**

**Defense Motion for Substitution of Proper Party**

	<b>Case Status</b>	<b>Dismissed Date</b>	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>	<b>Subject To Activation Order</b>
1	DWP	03/06/26	Billings, Julia and Tony	BER-L-014439-14	Seeger Weiss, LLP; Beasley Allen Crow Methvin Portis & Miles, PC	CMO 126 Exhibit A Entered 2025.12.11
2	DWP	03/06/26	Chambers, Sharyn and Duane	BER-L-010948-14	The Law Firm of Eric H. Weinberg	
3	Active		Dyke, Jeanne	BER-L-011710-14	Cohen Placitella; Roth, P.C. Motley Rice	CMO 126 Exhibit A Entered 2025.12.11
4	Active		Endres, Mary	BER-L-001149-15	Heard Robins Cloud, LLP	
5	Active		Goulet, Gwen	BER-L-002473-15	Heard Robins Cloud, LLP	
6	Active		Hester, Judith and Frank	BER-L-015365-14	The Law Offices of Eric H. Weinberg; Beasley Allen Crow Methvin Portis & Miles, PC	CMO 126 Exhibit A Entered 2025.12.11
7	Active		Lawver, Debra	BER-L-016708-14	Simmons Hanly Conroy, LLC	
8	Active		Lietz, Patricia and Gilbert	BER-L-015105-14	Seeger Weiss, LLP	CMO 126 Exhibit A Entered 2025.12.11

	<b>Case Status</b>	<b>Dismissed Date</b>	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>	<b>Subject To Activation Order</b>
9	Active		Medlock, Rosalyn	BER-L-014602-14	Napoli Bern Ripka Shkolnik & Associates, LLP	CMO 126 Exhibit A Entered 2025.12.11
10	Active		Nunez, Rayleen	BER-L-012267-14	Hanly Conroy Bierstein Sheridan Fisher & Hayes, LLP; Simmons Browder Gianaris Angelides & Barnerd, LLC	
11	Active		Ordino, Patricia	BER-L-019722-14	The D'Onofrio Firm, LLC	
12	Active		Padget, Terri and David	BER-L-001435-15	Heard Robins Cloud, LLP	
13	Active		Rothstein, Rosalie	BER-L-004999-15	Simmons Hanly Conroy, LLC	
14	Active		Ruiz, Dorothy and Ronnie	BER-L-002260-15	Heard Robins Cloud, LLP	
15	DWP	03/06/26	Scott, Susanne	BER-L-016502-14	The Law Office of Eric H. Weinberg	
16	Active		Simmons, Lorane	BER-L-006045-15	Simmons Hanly Conroy, LLC	
17	Active		Simmons, Rosemary	BER-L-011291-14	Lopez McHugh, LLP	CMO 126 Exhibit A

	<b>Case Status</b>	<b>Dismissed Date</b>	<b>Plaintiff/Case Name</b>	<b>Docket #</b>	<b>PL Firm(s)</b>	<b>Subject To Activation Order</b>
						Entered 2025.12.11
18	DWP	03/06/26	Simmons, Suzanne	BER-L-017204-14	The Law Offices of Eric H. Weinberg	
19	Active		Simons, Brenda and Earl	BER-L-015876-14	Hanly Conroy Bierstein Sheridan Fisher & Hayes, LLP; Simmons Browder Gianaris Angelides & Barnerd, LLC	
20	Active		Stowe, Arletta and Larry	BER-L-011636-14	Lynch Daskal Emery, LLP	CMO 126 Exhibit A Entered 2025.12.11
21	Active		Tate-Thomas, Jacquennette	BER-L-006383-15	Simmons Hanly Conroy, LLC	