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FILED

MAY 22 2024

MEGG A. PANOVARO, J.S.C.

**KELLY HUTCHISON AND MALDEN
HUTCHISON**

Plaintiffs,

vs.

ETHICON, INC., ET AL.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – BERGEN COUNTY
DOCKET NO. BER-L-013806-14 MCL

MASTER CASE NO. BER-L-011575-14

Civil Action

In re Pelvic Mesh/Gynecare Litigation, Case
No. 291

**CASE MANAGEMENT ORDER TO
EXTEND CURRENT DEADLINES**

THIS MATTER, having been opened to the Court by Plaintiffs, through their Counsel Cohen, Placitella & Roth, and Defendants, through their counsel Riker Danzig LLP, seeking an Order extending current discovery deadlines, by consent of all parties, and for good cause shown;

IT IS ON THIS  day of May, 2024;

ORDERED that the deadlines in this matter shall be extended as follows:

H. Expert Discovery

- (i) By **August 13, 2024**, Plaintiff is to advise Defendants if the plaintiff has or intends to submit to an IME by plaintiff's case specific expert.
- (ii) By **August 13, 2024**, Plaintiff is to provide Defendants with possible dates between **September 3, 2024 and October 25, 2024** when the plaintiff can travel for a DME to be conducted by Defendants' expert. Defendants

will then send plaintiff's counsel an email confirming the name of the defense expert, his or her qualifications, the location, date and time of the DME. This information will then be formalized in a Notice for DME that complies with the New Jersey Court Rules. If Plaintiff objects to any aspect of the proposed DME, those objections can be raised with the Court by letter if there is no resolution after meeting and conferring with Defendants.

- (iii) Plaintiff expert report(s) shall be served by **September 3, 2024**. If Plaintiff fails to serve all expert reports by the deadline without having obtained prior leave of the Court, the case may be dismissed with prejudice.
- (iv) Defense expert reports shall be served by **November 4, 2024**.
- (v) The parties shall make best efforts to complete all necessary plaintiff expert depositions by **December 6, 2024**, and all necessary defense expert depositions by **January 6, 2025**. Plaintiff's experts will not be deposed until after receipt of the defense expert reports and the notes of all DME's. Defense expert depositions will not be conducted until after completion of plaintiff expert depositions.
- (vi) Expert discovery shall be completed by **January 6, 2025**.

C. Pre-Trial Motions

- (i) Pretrial motions other than *in limine* (dispositive, Kemp/ Accutane) shall be served by **January 17, 2025**. Consistent with the practice in this MCL, the original motion papers shall be submitted directly to the trial judge's chambers. Only Notices of Motion and Forms of Order shall be submitted for filing with the Clerk's office (either via JEDS or in hard copy).
- (ii) Oppositions to pre-trial motions shall be filed and served by **February 18, 2025**.
- (iii) Only when necessary, on leave of Court, limited replies shall be filed and served by **February 28, 2025**.

- (iv) Oral argument on pre-trial motions and any remaining outstanding disputed deposition designations shall commence on **[To be determined by later order of the Court]**, continuing day to day as necessary.
- (v) The court shall issue rulings on pretrial motions and any outstanding deposition designation disputes that impact opening statements, or other such issues that must be resolved prior to opening statements by no later than **[To be determined by later order of the Court]**.



Hon. Gregg A. Padovano, J.S.C.

CONSENTED TO AS TO FORM AND ENTRY:

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*Attorneys for Defendants, Ethicon, Inc.
and Johnson & Johnson*

By: /s/ Rachel A. Placitella¹
Rachel A. Placitella

By: /s/ Kelly S. Crawford¹
Kelly S. Crawford

Dated: May 21, 2024

Dated: May 20, 2024

18-2-000012-0

¹ Pursuant to the New Jersey Supreme Court Omnibus Order on Covid-19 issues entered on March 27, 2020, " The provisions of Rule 1:32-2A(c) and all other Court Rules requiring original signatures on filings are relaxed and supplemented so as to permit electronic signatures to be used in all filing processes temporarily authorized to be used during the COVID-19 crisis, including, but not limited to emergent applications submitted by email and hardcopy submissions in dockets without an approved electronic filing system... ."