

IN RE PELVIC MESH/  
BARD LITIGATION

**FILED**

**FEB 03 2023**

**RACHELLE L. HARZ  
J.S.C.**

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – BERGEN COUNTY  
:  
: MASTER DOCKET NO. BER-L-17717-14  
:  
: Civil Action  
:  
: **Case Management Order No. 47**

**THIS MATTER** having come before the Court for a case management conference with liaison counsel on January 25, 2023; Defendant C. R. Bard, Inc. (“Bard”) through its counsel Melissa A. Geist, Esq., Reed Smith LLP and liaison counsel for Plaintiffs Adam. M. Slater, Esq. appearing to discuss the status of the active Bard cases in this MCL; and for good cause shown;

**IT IS** on this 3rd day of February 2023, **ORDERED** as follows:

**I. CASE MANAGEMENT**

- i. Pursuant to this Court’s CMO No. 44 entered on June 16, 2022, counsel with cases listed on Exhibit A to that CMO were directed to meet with Bard’s settlement counsel to discuss potential settlement of the cases. To the extent Plaintiffs’ counsel have not done so yet, counsel has 30 days from the entry of this Order to meet and confer with Bard’s settlement counsel (Kenneth Zucker, Esq. – Kenneth.Zucker@troutman.com) to discuss potential settlement of the cases.
- ii. Bard will submit a report to the Court 45 days from the entry of this Order that summarizes the status of discussions with settlement counsel and identifies any case where Plaintiff’s counsel has not complied with the Orders directing settlement counsel to be contacted.
- iii. The remaining cases against Bard are grouped below by product. Any counsel who does not believe that their case belongs in any of the pools below, that any of the information herein is incorrect including product type, or that a case is missing from the list, shall notify liaison counsel for both Plaintiffs and Bard within 20 days of the date of this Order.
- iv. All cases listed below are hereby activated for discovery, which will include depositions of plaintiff(s) and deposition(s) of implanting and any other

necessary treating physicians. The Court will issue a CMO establishing deadlines for the completion of fact discovery and other aspects of pretrial discovery, and potentially scheduling trial pools in those cases within two weeks after Bard's report to the Court regarding the status of settlement discussions.

1. **Align**

Ramsay, Lisa	Berezofsky Law Group, LLC	BER-L-007566-18	Align
Kitchens, Rhonda	Carey Danis & Lowe	BER-L-002165-21	Align
Hendrickson, Lauri	Feldman Pinto, LLC	BER-L-003559-20	Align
Whitney, Melissa	Jacob D. Fuchsberg Law Firm	BER-L-002984-22	Align
Almendarez, Dora	Kline & Specter	BER-L-008794-18	Align
Campie, Meredith	Kline & Specter	BER-L-008987-18	Align
Defede, Jessica	Kline & Specter	BER-L-000548-19	Align
Dolch, Theresa	Kline & Specter	BER-L-006916-21	Align
Greenlee, Denise	Kline & Specter	BER-L-001205-19	Align
Matinsky, Carol	Kline & Specter	BER-L-004584-20	Align
Rivera, Tracey	Kline & Specter	BER-L-001503-19	Align
Sayet, Danielle	Kline & Specter	BER-L-007353-19	Align
Seeburger, Lisa	Kline & Specter	BER-L-007895-19	Align
Swart, Nancy C	Kline & Specter	BER-L-009242-18	Align
Tucker, Donna	Kline & Specter	BER-L-007822-17	Align
Baker-Petit, Georgia	Kline & Specter	BER-L-000715-22	Align
Patterson, Mary	Kline & Specter (Oshman & Mirisola, LLP)	BER-L-001202-19	Align
Buscaglia, Donna	Messa & Associates, PC	BER-L-018350-14	Align
Onorato, Maria	Napoli Shkolnik PLLC	BER-L-000605-19	Align
Carel, Leesa	Pro se	BER-L-018604-14	Align
Frisch, Kerri	Schroeder Law Office, PLLC Kirkendall Dwyer LLP	BER-L-005417-20	Align
Martinez, Catherine	Stark & Stark	BER-L-000716-22	Align
Machicote, Katrina (deceased)	Zinn Law, LLC: Fears Nachawati	BER-L-004819-21	Align
Murray, Kelly	Motley Rice	BER-L-001455-22	Align
Mossotti, Renee	Feldman Pinto, LLC	BER-L-002284-21	Align R
Riley, Christina	Napoli Shkolnik PLLC	BER-L-017450-14	Align TO
Pipelng, Michelle	Baron & Budd PC	BER-L-005431-20	Align TO
Henderson, Dawn	Feldman Pinto, LLC	BER-L-002633-20	Align TO

Reyes, Nora	Bernstein Liebhard LLP	BER-L-002327-19	Align-S
-------------	------------------------	-----------------	---------

2. **Avaulta**

Liebenow, Donna	Kline & Specter	BER-L-002118-21	Avaulta Plus
Tucker, Mary	Bisnar Chase	BER-L-018188-14	Avaulta Plus Anterior
Daos, Elizabeth	Carey Danis & Lowe	BER-L-003185-21	Avaulta Plus Anterior
Baiza, Claudia	Kline & Specter	BER-L-008796-18	Avaulta Plus Anterior
Dean, Gwendolyn	Kline & Specter	BER-L-004767-20	Avaulta Plus Anterior
Doolittle-Foulks, Jacque	Stark & Stark Kirkendall Dwyer LLP	BER-L-005198-20	Avaulta Plus Posterior
Bennett, Joyce	Kline & Specter	BER-L-002816-21	Avaulta Solo
Brown, Carol J (FL)	Kline & Specter	BER-L-001196-19	Avaulta Solo Anterior
Light, Linda	Kline & Specter	BER-L-003111-19	Avaulta Solo Anterior

3. **Alyte**

Fox, Mary Laraine	Messa & Associates, PC	BER-L-019606-14	Alyte
Nieves-Revolorio, Yvette	Napoli Shkolnik PLLC	BER-L-000607-19	Alyte
Dewhurst, Donna	Stark & Stark and Carey Danis & Lowe	BER-L-004268-21	Alyte

4. **Mixed Products**

Carley, Tillie	Kline & Specter	BER-L-004591-20	Align & Avaulta Plus
Mook, Cindy	Kline & Specter	BER-L-002494-19	Align & Avaulta Solo Anterior
Willis, Wendy	Carey Danis & Lowe and Stark & Stark	BER-L-007856-20	Align & Other Manufacturer - AMS Y Shaped Prolene Mesh
Colaico, Karen	Motley Rice & Wagstaff Law Firm	BER-L-003618-22	Align RS Retropubic/Subrapublic Urethral Support & Alyte Y-Mesh Graft
Balla, Margaret	Bernstein Liebhard LLP	BER-L-008795-19	Align TO and Avaulta Plus
Aparicio, Maria	Bossier & Associates; D'Onofrio Firm, LLC	BER-L-008422-18	Alyte & BSC Obtryx

Valenti-Acosta, Margaret	Koppenaar Law Offices	BER-L-017965-14	Avaulta Plus & Sparc
Haiss, Melissa	Napoli Shkolnik PLLC	BER-L-008256-18	Avaulta Plus & Align
Sickles, Dorthea	Bisnar Chase	BER-L-018187-14	Avaulta Plus Anterior & Align & Pelvicol
Raynor, Joan	Kline & Specter	BER-L-001204-19	Avaulta Plus Anterior & Avaulta Plus Posterior
Daugherty, Susan	Wagstaff Law Firm	BER-L-005673-33	Unconfirmed Align and Avaulta Plus Support

5. **Miscellaneous Products**

Jones, Lisa	Kline & Specter	BER-L-001206-19	Ajust
Plotts, Nikki	Zinn Law, LLC: Fears Nachawati	BER-L-006230-21	Bard Mesh (Davol)
Cruise, Danielle	Bossier & Associates; D'Onofrio Firm, LLC	BER-L-001972-19	Marlex
Robinson, Nancy	Schroeder Law Office, PLLC	BER-L-005855-20	Pelvicol
Tanon, Iris	Schroeder Law Office, PLLC	BER-L-000867-21	Pelvilace
Guadalupe, Garfias	Schroeder Law Office, PLLC	BER-L-000659-20	Pelvitex

6. **Unconfirmed/Unknown Products**

Goodall, Leona	Stark & Stark; Carey Danis & Lowe	BER-L-002739-22	Unconfirmed Marlex Mesh
Link, Donna	Stark & Stark; Carey Danis & Lowe	BER-L-002740-22	Unconfirmed Align
Howard, Shonda	Feldman Pinto, LLC	BER-L-002112-20	Unconfirmed TOT Sling
Trevino, Christina	Kline & Specter	BER-L-008986-18	Unknown
Richter, Rita	Lieff Cabraster Heimann & Berns	BER-L-004402-21	Unknown

**IT IS FURTHER ORDERED** that a true copy of this Case Management Order shall be served immediately upon Plaintiffs' liaison counsel, Adam M. Slater, Esq. and upon all counsel of record via LNFS and email to counsel who has provided their email contact information to liaison counsel, within five (5) days of receipt of this Order.

A handwritten signature in cursive script, appearing to read "Rachelle L. Harz". The signature is written in black ink and is positioned above a horizontal line.

HONORABLE RACHELLE L. HARZ, J.S.C.