

FILED

DEC 16 2022

RACHELLE L. HARZ  
J.S.C.

**REED SMITH LLP**

Melissa A. Geist, Esq. (NJ Attorney ID 039641998)

506 Carnegie Center, Suite 300

Princeton, NJ 08540-7839

Tel. (609) 987-0050

Fax (609) 951-0824

*Attorneys for Defendant C. R. Bard, Inc.*

---

IN RE PELVIC MESH/ BARD LITIGATION	: SUPERIOR COURT OF NEW JERSEY : LAW DIVISION – BERGEN COUNTY : : MASTER DOCKET NO. BER-L-17717-14 : : Civil Action : : <b>ORDER TO SHOW CAUSE</b> : <b>REGARDING NON-COMPLIANCE WITH</b> : <b>COURT’S CMO NO. 45</b> : :
---------------------------------------	--

---

**THIS MATTER** having come before the Court by Defendant C. R. Bard, Inc. (“Bard”) through its counsel Melissa A. Geist, Esq., Reed Smith LLP, and

**WHEREAS** on September 27, 2022, the Court entered Case Management Order (“CMO”) No. 45, requiring that counsel for Plaintiffs 1) meet and confer with Bard settlement counsel; and 2) provide updated plaintiff fact sheets, including updated, fully-executed authorizations, and medical records indicating product identification or confirm that no update is needed to the plaintiff fact sheet;

**WHEREAS** Plaintiff Karen Colaico (Docket No.: BER-L-3618-22; Motley Rice & Wagstaff law firm) still failed to comply with CMO No. 45, and for good cause shown;

**IT IS on this 16<sup>th</sup> day of December, 2022 ORDERED** that counsel for Plaintiff Karen Colaico shall file a certification by **Friday, January 27, 2023**, to show good cause to the satisfaction of the Court that Plaintiff complied with CMO No. 45 or show cause as to why

Plaintiff's complaint should not be dismissed *with prejudice* for failure to comply with the Court's CMO No. 45;

**IT IS FURTHER ORDERED** that on or before **Friday, January 27, 2023**, Plaintiff Karen Colaico shall also serve via email a copy of her good cause certification and updated plaintiff fact sheet, including updated fully-executed authorizations, and medical records indicating product identification, and where no update to the plaintiff fact sheet is needed, counsel shall confirm in writing to defense counsel Melissa Geist, Esq. at [mgeist@reedsmith.com](mailto:mgeist@reedsmith.com) and Julia Lopez, Esq. at [jalopez@reedsmith.com](mailto:jalopez@reedsmith.com), but is still obligated to provide updated, fully-executed authorizations. Plaintiff Karen Colaico is also required to contact Bard's settlement counsel, Kenneth Zucker, Esq. ([kenneth.zucker@troutman.com](mailto:kenneth.zucker@troutman.com)) to discuss potential settlement of the case on or before **Friday, January 27, 2023**.

**IT IS FURTHER ORDERED** that a true copy of this Order to Show Cause shall be served upon Plaintiffs' liaison counsel, Adam M. Slater, Esq. and upon all counsel of record via LNFS within five (5) days of receipt of this Order; and

**IT IS FURTHER ORDERED** that failure to comply with this Order to Show Cause will result in a dismissal of Plaintiffs' Complaints *with prejudice* upon application by Bard.



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