

**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.*

**FILED**

DEC 16 2022

RACHELLE L. HARZ  
J.S.C.

---

IN RE PELVIC MESH/  
BARD LITIGATION

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – BERGEN COUNTY  
:  
: MASTER DOCKET NO. BER-L-17717-14  
:  
: Civil Action  
:  
: **CASE MANAGEMENT ORDER NO. 46**  
:

---

**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** certain Plaintiffs have requested extensions of time to comply with Case Management Order No. 45 or Order to Show Cause Regarding Non-Compliance with Court’s CMO NO. 44; and

**WHEREAS** certain Plaintiffs were not active at the time of entry of Case Management Order No. 45;

**IT IS on this 16<sup>th</sup> day of December, 2022 ORDERED** that counsel for Plaintiffs identified below in Table A shall comply with the deficiencies noted below within 30 days of entry of this order. Failure to comply with Case Management Order No. 46 will result in a dismissal of Plaintiffs’ Complaints *with prejudice* upon application by Bard.

**Table A**

<b>Last Name</b>	<b>First Name</b>	<b>Deficiencies</b>	<b>Docket Number</b>	<b>Counsel for Plaintiffs</b>
Riley	Christina	Failed to provide updated authorizations	BER-L-17450-14	Napoli Shkolnik
Fox	Mary Laraine	Failed to provide operative report for claimed 2013 excision	BER-L-19606-14	Messa & Associates PC
Macchiote	Katrina	Failed to provide operative report for implant surgery including product identification with associated date of implant, as well as operative report for 2018 revision	BER-L-4819-21	Zinn Law, LLC; Fears Nachawati
Plotts	Nikki	Failed to provide operative report for 2018 revision	BER-L-6230-21	Zinn Law, LLC; Fears Nachawati
Kitchens	Rhonda	Failed to provide updated authorization	BER-L-2165-21	Carey Danis & Lowe
Murray	Kelly	Failed to engage in settlement discussions	BER-L-1455-22	Wagstaff Law Firm

**IT IS FURTHER ORDERED THAT** counsel for Plaintiffs identified in Table B, which are cases that were not active at the time of CMO No. 45, and whose cases have not been resolved or subject to an agreement in principle to resolve, and are now directed to meet and confer with Bard settlement counsel, Kenneth Zucker, Esq. (Kenneth.Zucker@troutman.com) to discuss potential settlement of the cases within 60 days of entry of this Order, regardless of prior communications.

**IT IS FURTHER ORDERED THAT** counsel for Plaintiffs identified in Table B shall provide updated plaintiff fact sheets, including updated, fully-executed authorizations, and produce medical records indicating product identification (if not already provided), within 60 days of the entry of this Order to defense counsel, Melissa Geist (mgeist@reedsmith.com) and Julia Lopez (jalopez@reedsmith.com). In cases where no update to the plaintiff fact sheet is needed, Plaintiff's counsel shall confirm this in writing to defense counsel, Melissa Geist

(mgeist@reedsmith.com) and Julia Lopez (jalopez@reedsmith.com), but is still obligated to provide updated, fully-executed authorizations.

**Table B – Newly Active Cases**

<b>Last Name</b>	<b>First Name</b>	<b>Docket Number</b>	<b>Counsel for Plaintiffs</b>
Goodall	Leona	BER-L-2739-22	Stark & Stark; Carey Danis & Lowe
Link	Donna	BER-L-2740-22	Stark & Stark; Carey Danis & Lowe
Daugherty	Susan	BER-L-5673-22	Wagstaff Law Firm

**IT IS FURTHER ORDERED** that this Order be posted to the Court's website, and on each docket; and

**IT IS FURTHER ORDERED** that to the extent the parties have not yet done so as required by this Court's Amended Order Regarding Electronic Service dated June 29, 2011, all parties are required to request service of any filings on the master docket number BER-L-17717-14, as well as their individual docket number, via File & ServeXpress; and

**IT IS FURTHER ORDERED** that a true copy of Case Management Order No. 46 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.



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