

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

SEP 27 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

:
: **ORDER TO SHOW CAUSE**
: **REGARDING NON-COMPLIANCE WITH**
: **COURT'S CMO NO. 44**
:
:

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 June 16, 2022, the Court entered Case Management Order (“CMO”) No. 44, 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 Bard provided a report to the Court on August 30, 2022, and

WHEREAS certain Plaintiffs identified below have still failed to comply with CMO No. 44, and for good cause shown;

IT IS on this 27th day of September, 2022 ORDERED that counsel for Plaintiffs identified below in Table A and B shall file a certification by **Friday, October 14, 2022**, to show

good cause to the satisfaction of the Court that Plaintiffs complied with CMO No. 44 or show cause as to why Plaintiffs' complaints should not be dismissed *with prejudice* for failure to comply with the Court's CMO No. 44;

IT IS FURTHER ORDERED that on or before **Friday, October 14, 2022**, Plaintiffs identified below in Table A shall also serve via email a copy of their good cause certification and updated plaintiff fact sheets, 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 and Julia Lopez, Esq. at jalopez@reedsmith.com, but is still obligated to provide updated, fully-executed authorizations. Plaintiffs in Table A are also required to contact Bard's settlement counsel, Kenneth Zucker, Esq. (kenneth.zucker@troutman.com) to discuss potential settlement of the case on or before **Friday, October 14, 2022**:

Table A
Failure to provide updated plaintiff fact sheets, including updated-fully-executed authorizations and medical records indicating product identification and Failure to contact settlement counsel

Last Name	First Name	Docket Number	Counsel for Plaintiff
Carel	Leesa	BER-L-1806-14	Pro se
Carter	Toni Ann	BER-L-17565-14	Oshman & Mirisola, LLP; Hecht, Kleeger, Pintel & Damashek
Daos	Elizabeth	BER-L-3185-21	Carey Danis & Lowe
Dewhurst	Donna	BER-L-4268-21	Stark & Stark
Kitchens	Rhonda	BER-L-2165-21	Carey Danis & Lowe
Machicote	Katrina	BER-L-4819-21	Zinn Law, LLC: Fears Nachawati
Martinez	Catherine	BER-L-716-22	Stark & Stark
Martinez	Evelyn	BER-L-7893-18	Pro se
Murray	Kelly	BER-L-1455-22	Motley Rice
Orsak	Lillian	BER-L-17444-14	Oshman & Mirisola, LLP; Hecht, Kleeger, Pintel & Damashek

Plotts	Nikki	BER-L-6230-21	Zinn Law, LLC: Fears Nachawati
Ramsey	Lisa	BER-L-7566-18	Berezofsky Law Group, LLC
Rangel	Estrella	BER-L-19600-14	Pro se
Willis	Wendy	BER-L-7856-20	Carey Danis & Lowe

IT IS FURTHER ORDERED that on or before **Friday, October 14, 2022**, Plaintiffs identified below in Table B shall also serve via email a copy of their good cause certification upon defense counsel Melissa Geist, Esq. at mgeist@reedsmith.com and Julia Lopez, Esq. at jalopez@reedsmith.com. Plaintiffs in Table B are also required to contact Bard's settlement counsel, Kenneth Zucker, Esq. (kenneth.zucker@troutman.com) to discuss potential settlement of the case on or before **Friday, October 14, 2022**:

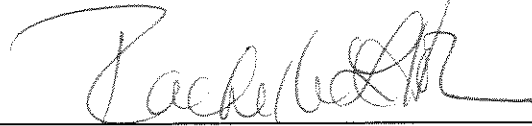
Table B – Failure to contact settlement counsel

Last Name	First Name	Docket Number	Counsel for Plaintiff
Haiss	Melissa	BER-L-8256-18	Napoli Shkolnik PLLC
Montijo	Jeanette	BER-L-609-19	Napoli Shkolnik PLLC
Nieves-Revolorio	Yvette	BER-L-607-19	Napoli Shkolnik PLLC
Onorato	Maria	BER-L-605-19	Napoli Shkolnik PLLC

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 a true copy of this Order to Show Cause shall be served upon pro se Plaintiffs Leesa Carel, Evelyn Martinez, and Estrella Rangel via overnight mail to their last known mailing address within five (5) days of receipt of this Order.

IT IS FURTHER ORDERED that failure to comply with this Order to Show Cause will result in a dismissal of Plaintiffs' Complaints *with prejudice* on or about **November 14, 2022**.



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