

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION

Case No. 2:18-md-2846

JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson

This document relates to:

*Johns v. C.R. Bard et al.*,

Case No. 2:18-cv-1509

*Milanesi et al. v. C.R. Bard, et al.*

Case No. 2:18-cv-1320

**ORDER**

On April 6, 2021, a case management conference was held in this multidistrict litigation. This order memorializes developments in the first two bellwether cases, *Johns v. C.R. Bard et al.*, and *Milanesi, et al. v. C.R. Bard, Inc. et al.*

Plaintiff has secured an expert to replace their expert Dr. David Kessler. Plaintiff shall produce their new expert's report by May 24, 2021. For the purposes of this expert, the dates regarding reports, discovery, and motions in limine in Case Management Order 23-E ([ECF No. 246](#)), are suspended, with the understanding that the parties shall produce reports and discovery and file related motions as soon as practicable. Plaintiff shall update the Court on the status of his Motion to Exclude the Opinions and Testimony of Dr. Kessler ([ECF No. 35](#)) in *Johns* as soon as practicable.

The parties were also instructed to confer on missing data in Dr. Reitman's opinions in *Milanesi*. This related to Plaintiff's Motion to Exclude the Opinions and Testimony of Defense Expert Maureen T.F. Reitman, Sc.D. ([ECF No. 84](#)) in *Milanesi*. IF the parties were unable to agree, the parties could submit simultaneous briefing by April

21, 2021. The parties have since asked for extension to May 5, 2021, which the Parties shall have.

Finally, by the next case management conference on May 18, 2021 at 1:30 p.m., the parties shall have exchanged drafts of special jury instructions on the Food and Drug Administration and the Material Safety Data Sheets, and met and conferred. The parties will notify the Court of any disagreements a week before the conference, May 11, 2021. Any disputes will be resolved during the conference.

**IT IS SO ORDERED.**

**4/20/2021**  
**DATE**

**s/Edmund A. Sargus, Jr.**  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**