

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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

Case No. 2:18-md-2846

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

**This document relates to:**

*Milanesi et al. v. C.R. Bard, et al.*  
Case No. 2:18-cv-1320

**CASE MANAGEMENT ORDER NO. 28-C**  
**(Dispositive and *Daubert* Motion Schedule for *Milanesi*)**

On January 24, 2020, the Court selected *Milanesi et al. v. C.R. Bard et al.*, Case No. 2:18-cv-01320 as the second Bellwether Trial Case that will be tried in this multidistrict litigation (“MDL”). Due to the impact of the coronavirus (COVID-19) outbreak, it is anticipated that this trial will be scheduled for a date to be determined after the conclusion of the *Johns* trial.

This amended CMO sets forth the dispositive motion schedule for the second bellwether trial. A case management order setting forth the pre-trial and trial schedule for the second bellwether case will be forthcoming.

This Order supersedes the deadlines in CMO No. 20-A as to *Milanesi* as well as CMO Nos. 28, 28-A, and 28-B as set forth below.

The moving party shall indicate in any summary judgment or *Daubert* motion whether the Court ruled on the issue previously and, if so, whether it is moving to preserve the issue for appeal or whether it is seeking a different ruling because of new or different circumstances, a change in controlling law, or other good cause.

**A. DISPOSITIVE MOTIONS**

The following deadlines will apply to motions for summary judgment in *Milanesi*:

<u>Date</u>	<u>Event</u>
January 22, 2021	Dispositive motions to be filed.
February 19, 2021	Opposition papers to dispositive motions to be filed.
March 5, 2021	Reply papers to dispositive motions to be filed.

**B. DAUBERT MOTIONS**

The following deadlines will apply to any motion seeking to exclude or limit an expert’s opinions:

<u>Date</u>	<u>Event</u>
February 5, 2021	Deadline for filing of any <i>Daubert</i> or other motions concerning any expert (hereafter “expert motions”).
March 1, 2021	Opposition papers to expert motions to be filed.
March 11, 2021	Reply papers to expert motions to be filed.

**IT IS SO ORDERED.**

1/29/2021  
DATE

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

1/29/2021  
DATE

s/Kimberly A. Jolson, Jr. \_\_\_\_\_  
KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE