

**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-01320

**CASE MANAGEMENT ORDER NO. 28-B
(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 in late Summer 2021.

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 and 28-A 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>
January 29, 2021	Deadline for filing of any <i>Daubert</i> or other motions concerning any expert (hereafter "expert motions").
February 22, 2021	Opposition papers to expert motions to be filed.
March 4, 2021	Reply papers to expert motions to be filed.

IT IS SO ORDERED.

12/30/2020
DATE

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

12/30/2020
DATE

s/Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE