

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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

**Civil Action 2:18-MD-2846
CHIEF JUDGE EDMUND A. SARGUS
Magistrate Judge Kimberly A. Jolson**

This document relates to: ALL CASES.

PRETRIAL ORDER NO. 1

September 5, 2018 Conference

This matter came before the Court for an in-person status conference on September 5, 2018. This Order memorializes the results of the conference as follows:

Case Management Orders:

- The Court conferred with counsel regarding the parties' proposed case management order relating to the leadership appointments of Plaintiffs' counsel. As discussed, the Court is inclined to approve the proposed Case Management Order Appointing Plaintiff's Steering Committee following a 14-day objection period.
- The Court discussed the administrative handling of newly filed cases. The Court approves Plaintiffs' proposed Case Management Order regarding direct filing of cases in the multidistrict litigation (MDL).
- The Court spoke with counsel regarding the parties' plan for the preservation of documents. The parties have not reached an agreement pertaining to the language of a

proposed Case Management Order. Counsel will continue to meet and confer regarding the preservation of documents. If counsel reach an agreement prior to the next status conference, counsel may file a proposed Case Management Order with the Court.

- The Court conferred with counsel regarding the parties' perceived scope of the MDL. Prior to the next status conference, counsel will meet and confer to discuss the Defendants' proposed Case Management Order concerning the scope of the MDL. If counsel reach an agreement prior to the next status conference, counsel may file a proposed Case Management Order with the Court.
- The Court also discussed the use of master and short form complaints. Counsel will meet and confer regarding Defendants' proposed Case Management Order prior to the next status conference. If counsel reach an agreement in the interim, they may file the proposed Case Management Order with the Court.

Case Information Session: The Court scheduled an in-person case information session on **OCTOBER 10, 2018 at 1:30 P.M** at the United States District Court, Joseph P. Kinneary United States Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215. The agenda for the October 10, 2018 case information session shall include, but is not limited to, 1) an introduction to the products involved, 2) a summary of the case history, and 3) an overview of ongoing state court litigation.

Coordination with State Court Litigation: Counsel provided the Court with a brief overview of ongoing state court litigation in Providence, Rhode Island. In order to facilitate efficiency, the Court will confer with the Judge presiding over those cases prior to the next status conference.

Discovery: The Court **DIRECTS** the stay on discovery lifted. Prior to the next status conference, the parties will meet and confer concerning Rule 26 initial disclosures, Plaintiff Fact Sheets, Defendant Fact Sheets, ESI, protective orders, and witnesses.

Mediation: Counsel will meet and confer regarding the appointment of a mediator.

Status Conference: The Court scheduled an in-person status conference on **OCTOBER 10, 2018 at 10:00 A.M.** at the United States District Court, Joseph P. Kinneary United States Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215. The agenda for the October 10, 2018 status conference shall include, but is not limited to, proposed Case Management Orders and discovery.

IT IS SO ORDERED.

9-5-2018

DATE



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE