

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: C.R. BARD, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL 2187

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER # 53

(Order re: Motion to Amend Short Form and Amended Short Form Complaints)

Pending is C. R. Bard, Inc.'s Motion to Amend the Short Form Complaint and Amended Short Form Complaint attached to Pretrial Order # 51. [ECF 359.] In the Motion, C. R. Bard Inc. ("Bard") seeks an order amending the Short Form and Amended Short Form Complaints attached to PTO # 51 [ECF 351] as Exhibits B and C because Sections 9 and 10, Choice "C" listed "The Align Anterior BioSynthetic Support System," when it should have listed "The **Avaulta** Anterior BioSynthetic Support System." Bard asks that the court substitute the corrected Short Form and Amended Short Form Complaints for the incorrect ones in PTO # 51.

It is **ORDERED** that Bard's Motion is **GRANTED**. The Clerk is **DIRECTED** to remove Exhibits B and C attached to PTO # 51 [ECF 351, Exhibits B and C] and located at docket entry numbers 353 and 354, and attach the corrected Exhibits B and C, which are attached to this Order. The court's website also will be updated with the corrected Exhibits B and C.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2187 and it shall apply to each member related case previously transferred to, removed to, or filed in this district,

which includes counsel in all member cases up to and including civil action number 2:12-cv-5886. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: September 27, 2012


Joseph R. Goodwin, Chief Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

*In re C. R. Bard, Inc.
Pelvic System Products Liability Litigation
MDL No. 2187*

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The Master Complaint in MDL No. 2187 by reference. Plaintiff(s) further show the court as follows:

1. Female Plaintiff

2. Plaintiff Husband

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

4. State of Residence

5. District Court and Division in which action is to be filed upon transfer from the MDL.

6. Defendants (Check Defendants against whom Complaint is made):

A. C. R. Bard, Inc. (“Bard”)

B. Sofradim Production SAS (“Sofradim”)

C. Tissue Science Laboratories Limited (“TSL”)

D. Ethicon, Inc.

E. Ethicon, LLC

F. Johnson & Johnson

G. American Medical Systems, Inc. (“AMS”)

H. American Medical Systems Holdings, Inc. (“AMS Holdings”)

I. Endo Pharmaceuticals, Inc.

J. Endo Health Solutions Inc. (f/k/a Endo Pharmaceutical Holdings, Inc.)

K. Boston Scientific Corporation

7. Basis of Jurisdiction

Diversity of Citizenship

8.

a. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

b. Other allegations of jurisdiction and venue

9. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff)

- A. The Align Urethral Support System;
- B. The Align TO Urethral Support System;
- C. The Avaulta Anterior BioSynthetic Support System;
- D. The Avaulta Posterior BioSynthetic Support System;
- E. The Avaulta Plus Anterior Support System;
- F. The Avaulta Plus Posterior Biosynthetic Support System;
- G. The Avaulta Solo Anterior Synthetic Support System;
- H. The Avaulta Solo Posterior Synthetic Support System;
- I. The InnerLace BioUrethral Support System;
- J. The Pelvicol Acellular Collagen Matrix;
- K. The PelviLace BioUrethral Support System;
- L. The PelviLace TO Trans-obturator BioUrethral Support System;
- M. The PelviSoft Acellular Collagen BioMesh;
- N. The Pelvitex Polypropylene Mesh;
- O. The Uretex SUP Purbourethral Sling;
- P. The Uretex TO Trans-obturator Urethral Support System;
- Q. The Uretex TO2 Trans-obturator Urethral Support System; and
- R. The Uretex TO3 Trans-obturator Urethral Support System.
- S. Other

10. Defendants' Products about which Plaintiff is making a claim. (Check applicable products)

- A. The Align Urethral Support System;

- B. The Align TO Urethral Support System;
- C. The Avaulta Anterior BioSynthetic Support System;
- D. The Avaulta Posterior BioSynthetic Support System;
- E. The Avaulta Plus Anterior Support System;
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- Q. The Uretex TO2 Trans-obturator Urethral Support System; and
- R. The Uretex TO3 Trans-obturator Urethral Support System.
- S. Other

11. Date of Implantation as to Each Product

12. Hospital(s) where Plaintiff was implanted (including City and State)

13. Implanting Surgeon(s)

14. Counts in the Master Complaint brought by Plaintiff(s)

Count I

Count II

Count III

Count IV

Count V

Count VI

Count VII (by the Husband)

Count VIII

Other _____ (please state the facts supporting this Count in the space, immediately below)

Other _____ (please state the facts supporting this Count in the space, immediately below)

Attorneys for Plaintiff

Address and bar information:

Exhibit C
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

In re C. R. Bard, Inc.
Pelvic System Products Liability Litigation
MDL No. 2187

AMENDED SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The Master Complaint in MDL No. 2187 by reference. Plaintiff(s) further show the court as follows:

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Attorneys for Plaintiff

Address and bar information:
