

**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 NO. 2187

THIS DOCUMENT RELATES TO ALL WAVE 3 CASES

**PRETRIAL ORDER # 154
(Third Amended Docket Control Order for Discovery of
Certain Avaulta, Bard Only Cases – Wave 3)**

It is **ORDERED** that PTO # 153 (Second Amended Docket Control Order for Discovery of Certain Avaulta, Bard Only Cases – Wave 3) is amended to correct Exhibit A, revise provisions related to the taking of written depositions to reflect rulings by Judge Eifert and to address provisions related to specific causation experts.

Based on my rulings related to Plaintiffs' Emergency Motion to Modify Pretrial Order # 131 and Pretrial Order # 142 [Docket 1230], it is **ORDERED** that PTO ##s 131 and 142 are **AMENDED**. The introductory and other language of PTO # 131 containing my reasons for instituting a third wave of cases and for ordering written depositions remains in effect. In addition, to the extent the deadlines have passed in PTO # 131, as modified in PTO # 142, the PTOs remain in effect. It is **ORDERED** as follows:

I. SIXTY CASE MINIWAVE IN WAVE 3.

- A. CASE SELECTION.** On or before **December 15, 2014**, the parties will each file a list of twenty-five (25) cases taken from the Wave 3 group of cases. A current list of the Wave 3 cases is attached as Exhibit A for the parties' reference. The court has directed that the nine (9) cases within Wave 3 from the Northern and Southern

Districts of West Virginia shall be included in the miniwave. In addition, the court will choose one case, bringing the total number of cases to sixty (60). The sixty (60) cases chosen by the parties and the court will constitute a “Miniwave” within Wave 3, and will maintain their Wave 3 marking on CM/ECF.

B. DEPOSITIONS.

1. Treating physicians (implanting, explanting physicians). The parties may conduct the depositions of treating physicians pursuant to Rule 30 of the Fed. R. Civ. P. or in any other manner they choose in keeping with the Fed. R. Civ. P., assuming they agree on how such depositions will be conducted, including the length of depositions. In the absence of agreement, my previous order related to written depositions under Rule 31(a)(2) and Judge Eifert’s rulings apply as follows:

- a.** The parties have exchanged written deposition questions, cross questions, and redirect questions, as well as written objections to each. Absent good cause shown, the parties must complete written depositions of the treating physicians by **February 10, 2015**, following the procedure identified in Rule 31(b) and Rule 30(c), (e) and (f).
- b.** In particular, the party responsible for the written deposition (the parties were directed by Judge Eifert to split the list in half) must arrange and notice the written deposition, subpoena the deponent and provide the court reporter with the written deposition questions and objections. At the deposition, the court reporter will read the written

questions to the physician, record the questions and the physician's answers and certify the deposition. The court reporter will attach the written questions and objections to the transcript of the deposition. The party responsible for the written deposition shall maintain the original transcript of the deposition and its attachments.

2. Sales Representatives.

- a.** In each Miniwave case, plaintiffs shall submit no more than ten (10) written deposition questions per sales representative to Bard by no later than **December 31, 2014**; Bard's written objections shall be provided to plaintiffs by **January 5, 2015**.
- b.** Bard's cross-questions (limited to five (5)) shall be submitted to plaintiffs by no later than **January 7, 2015**; plaintiffs' written objections shall be provided to Bard by **January 9, 2015**.
- c.** Plaintiffs' redirect questions (limited to three (3)) shall be submitted to Bard by no later **January 12, 2015**; Bard's written objections shall be provided to plaintiffs by **January 14, 2015**.
- d.** Absent good cause shown, the parties must complete written depositions of the sales representatives by **February 10, 2015**, following the procedure identified in Rule 31(b) and Rule 30(c), (e) and (f).
- e.** In particular, plaintiffs must arrange and notice the written deposition, subpoena the deponent and provide the court reporter with the written deposition questions and objections. At the deposition, the court

reporter will read the written questions to the sales representative, record the questions and the sales representative's answers and certify the deposition. The court reporter will attach the written questions and objections to the transcript of the deposition. Plaintiffs shall be responsible for maintaining the original transcript of the deposition and its attachments.

3. **Corporate and non-plaintiff-specific fact discovery.** Rule 30(b)(6) depositions may not exceed two (2) hours for direct examination and one (1) hour for cross-examination. Plaintiffs are limited to five (5) Rule 30(b)(6) witnesses. Plaintiffs must choose a lead questioner. If a corporate witness has been previously deposed in this MDL litigation, the parties shall attempt to agree on whether a second deposition should occur, and if so, the parameters of the deposition. Nothing in this Docket Control Order should be construed to abridge a party's right to seek a protective order as to any appropriate issue on any available ground. All other non plaintiff-specific fact discovery shall be completed by written deposition, be limited to five (5) questions per side; three (3) cross-questions per side and two (2) redirect and must comply with the provisions of Rule 31(b) and Rule 30(c), (d) and (e) as described above. To the extent applicable and practicable, the parties shall follow the procedures outlined above for exchanging questions and objections, arranging and scheduling the depositions.
4. All fact discovery in the Miniwave must be completed by **February 10, 2015**, including discovery related to treating physicians by whatever method.

5. The court will permit additional fact discovery where a party specifically describes the additional discovery and shows good cause for the taking of such discovery in accordance with the Federal Rules of Civil Procedure.

C. EXPERT DISCOVERY ON AVAULTA PRODUCTS

1. **Expert Discovery and Reports.** The parties may conduct general and specific expert discovery on the Avaulta products at issue in the Miniwave. In light of the bellwether trial that already occurred on the Avaulta Plus Posterior Support System and the substantial discovery conducted to date on the other Avaulta products, the parties are cautioned not to engage in duplicative general expert discovery, but instead, to tailor their discovery to the remaining Avaulta products at issue (to the extent such discovery is necessary), supplementing any discovery already completed and conducting specific causation discovery for the Miniwave plaintiffs. In light of the common products involved in this Miniwave, the likelihood of overlap in expert opinion from one case to another (except as to specific causation) and the need to streamline discovery in these cases, each side is limited to no more than three (3) experts per case (exclusive of treating physicians). It is the court's expectation that these experts will overlap for plaintiffs who have the same product(s), to some extent, if not entirely.

- a. In each Miniwave case, the parties shall serve (i) expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2)(A) and Fed. R. Civ. P. 26(a)(2)(C), and (ii) expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B).

- b.** Absent good cause shown, plaintiffs shall serve expert disclosures and reports in each case on or before **February 17, 2015**.
- c.** Absent good cause shown, Bard shall serve expert disclosures and reports in each case on or before **March 16, 2015**.
- d.** The parties shall serve disclosures and reports for rebuttal expert witnesses, if any, by no later than **April 27, 2015**.
- e.** The court will permit additional expert discovery where a party specifically describes the additional discovery and shows good cause for the taking of such discovery in accordance with the Federal Rules of Civil Procedure.

2. Expert Depositions.

- a. General Causation Expert Depositions.** The parties shall coordinate the depositions of general causation experts. Insofar as multiple plaintiffs have utilized the same general causation expert or experts, those experts shall be deposed only once on the issue of general causation. As to Bard's experts, plaintiffs are instructed to choose a lead questioner.
- b. Specific Causation Expert Depositions.** The opinions of experts regarding their specific causation opinions for individual plaintiffs shall be obtained by written deposition as follows:
 - i.** Bard or a plaintiff shall submit no more than thirty (30) written deposition questions per expert to the opposing party by no

later than **March 5, 2015**; the opposing party's written objections shall be provided by **March 10, 2015**.

ii. Cross-questions (limited to twenty (20)) shall be submitted by no later than **March 12, 2015**; the opposing party's written objections shall be provided by **March 16, 2015**.

iii. Redirect questions (limited to ten (10)) shall be submitted by no later than **March 18, 2015**; the opposing party's written objections shall be provided by **March 20, 2015**.

c. Absent good cause shown, the parties must complete written depositions of experts by **May 5, 2015**, following the procedure identified in Rule 31(b) and Rule 30(c), (e) and (f).

d. In particular, the party initiating the written deposition must arrange and notice the written deposition, subpoena the deponent and provide the court reporter with the written deposition questions and objections. At the deposition, the court reporter will read the written questions to the expert, record the questions and the expert's answers and certify the deposition. The court reporter will attach the written questions and objections to the transcript of the deposition. The party initiating the written deposition shall be responsible for maintaining the original transcript of the deposition and its attachments.

D. Motion Practice.

1. *Daubert* Motion Practice. To the extent the parties are able to file identical *Daubert* motions in multiple Miniwave cases or groups of cases, they are

encouraged to do so. The parties must file such omnibus motion(s) in each Miniwave case to which it applies. If there are case-specific and/or omnibus *Daubert* motions in the individual Miniwave cases, such motions are due **May 12, 2015**. Responses are due **May 26, 2015**. Replies are due **June 2, 2015**.

2. Non *Daubert* Based Dispositive (or partially dispositive) Motion Practice.

Non *Daubert* based dispositive (or partially dispositive) motions also can be streamlined by grouping motions by issue and/or State. The parties are encouraged to file omnibus motions where common issues are involved in multiple Miniwave cases or groups of cases. If the parties file such motions, the parties are directed to file in each Miniwave case in which the motion applies. Individual and/or omnibus motions are due **May 12, 2015**. Responses are due **May 26, 2015**. Replies are due **June 2, 2015**.

3. *Daubert* Based Dispositive Motion Practice. *Daubert* based dispositive motions are due **July 8, 2015**. Responses are due **July 16, 2015**. No reply briefs shall be filed for *Daubert*-based dispositive motions.

4. Motions in Limine. Motions in Limine may be filed only upon leave of court based on a showing of specific need for that particular issue to be determined prior to trial. In the event the court grants leave, motions are limited to 3 pages each, responses are limited to 2 pages each. No reply briefs shall be filed for motions in limine.

5. Hearings. Dates for hearings on motions, if any, will be set at a future status conference.

- 6. Page limitations.** If the parties file omnibus motions related to multiple cases or groups of cases in the Miniwave, I will not impose additional page limits beyond those contained in the court's Local Rules of Civil Procedure 7.1(a)(2). The parties shall provide courtesy copies to the court in accordance with Local Civil Rule 7.1(a)(5), and requests that such courtesy copies include the header added upon filing. If a motion (other than a motion in limine) does not apply to more than one case, the court imposes the following deadlines: the memorandum in support of the motion is limited to five (5) double spaced pages; the response is limited to three (3) double spaced pages; and the reply is limited to two (2) double spaced pages.
- 7. Placeholder Exhibits.** In the past, the court has permitted parties to file placeholder exhibits in support of *Daubert*, dispositive and other motions, responses and replies in the place of confidential documents that may be sealed and then, within five days, redact/dedesignate the documents or file a motion to seal. Moving forward, *the court will no longer permit this practice. Parties may no longer file placeholder exhibits. The court expects leadership counsel for plaintiffs and Bard to resolve issues related to confidential designations well before the filing of the above motions.* Filings containing placeholder exhibits will be struck. In the event there are issues related to sealing of confidential documents that the parties are unable to resolve, they must be brought to the court's attention in a consolidated manner as follows: Any consolidated motion to seal is due on or before **April**

9, 2015, any response is due **April 17, 2015**, and any reply is due **April 23, 2015**.

E. CASES READY FOR TRANSFER, REMAND OR TRIAL.

1. At the conclusion of pre-trial proceedings, the court, pursuant to PTO # 51 and 28 U.S.C. § 1404(a), will transfer each directly-filed case to a federal district court of proper venue as defined in 28 U.S.C. § 1391. In the alternative, pursuant to PTO # 51 and 28 U.S.C. § 1407, cases that were transferred by the JPML shall be remanded for trial to the federal district court from which each such case was initially transferred. The trial date for cases transferred or remanded to other federal district courts shall be set by the judge to whom the transferred or remanded case is assigned (including the undersigned through intercourt assignment). The federal district court to which the case is remanded will be advised that no further discovery should be permitted as such would interfere with the handling of the MDL.
2. If a case is to be tried in the United States District Court for the Southern District of West Virginia (either by agreement of the parties or where venue in the Southern District is determined to be proper by the court), the case shall be deemed trial-ready as soon as discovery is completed and the court rules on the parties' motions in limine and non dispositive *Daubert* motions.

II. REMAINING WAVE 3 CASES (EXCLUDING MINIWAVE CASES).

Upon completion of the Miniwave, the remaining cases in Wave 3 are subject to the following deadlines:

A. Depositions.

1. Treating physicians (implanting, explanting physicians). The parties may conduct the depositions of treating physicians pursuant to Rule 30 of the Fed. R. Civ. P. or in any other manner they choose in keeping with the Fed. R. Civ. P., assuming they agree on how such depositions will be conducted, including the length of depositions. In the absence of agreement, my previous order related to written depositions under Rule 31(a)(2) and Judge Eifert's rulings apply with the following deadlines:

- a.** In each case, Bard shall submit no more than thirty (30) written deposition questions per treating physician to plaintiffs by no later than **July 31, 2015**; plaintiffs' written objections shall be provided to Bard by **August 3, 2015**.
- b.** Plaintiffs' cross-questions (limited to twenty (20)) shall be submitted to Bard by no later than **August 5, 2015**; Bard's written objections shall be provided to plaintiffs by **August 7, 2015**.
- c.** Bard's redirect questions (limited to ten (10)) shall be submitted to plaintiffs by no later than **August 10, 2015**; plaintiffs' written objections shall be provided to Bard by **August 12, 2015**.
- d.** Absent good cause shown, the parties must complete written depositions of the treating physicians by **September 10, 2015**, following the procedure identified in Rule 31(b) and Rule 30(c), (e) and (f).

- e. In particular, the party responsible for the written deposition (the parties were directed by Judge Eifert to split the list in half) must arrange and notice the written deposition, subpoena the deponent and provide the court reporter with the written deposition questions and objections. At the deposition, the court reporter will read the written questions to the treating physicians, record the questions and the treating physician's answers and certify the deposition. The court reporter will attach the written questions and objections to the transcript of the deposition. The party responsible for the deposition shall maintain the original transcript of the deposition and its attachments.

2. Sales Representatives.

- a. In each case, plaintiffs shall submit no more than ten (10) written deposition questions per sales representative to Bard by no later than **July 31, 2015**; Bard's written objections shall be provided to plaintiffs by than **August 3, 2015**.
- b. Bard's cross-questions (limited to five (5)) shall be submitted to plaintiffs by no later than **August 5, 2015**; plaintiffs' written objections shall be provided to Bard by **August 7, 2015**.
- c. Plaintiffs' redirect questions (limited to three (3)) shall be submitted to Bard by no later **August 10, 2015**; Bard's written objections shall be provided to plaintiffs by **August 12, 2015**.

- d. Absent good cause shown, the parties must complete written depositions of the sales representatives by **September 10, 2015**, following the procedure identified in Rule 31(b) and Rule 30(c), (e) and (f).
- e. In particular, plaintiffs must arrange and notice the written deposition, subpoena the deponent and provide the court reporter with the written deposition questions and objections. At the deposition, the court reporter will read the written questions to the sales representative, will record the questions and the sales representative's answer and certify the deposition. The court reporter will attach the written questions and objections to the transcript of the deposition. Plaintiffs shall be responsible for maintaining the original transcript of the deposition and its attachments.

3. Corporate and non-plaintiff specific fact discovery. Rule 30(b)(6) depositions may not exceed two (2) hours for direct examination and one (1) hour for cross-examination. Plaintiffs are limited to five (5) Rule 30(b)(6) witnesses. Plaintiffs must choose a lead questioner. If a corporate witness has been previously deposed in this MDL litigation, the parties shall attempt to agree on whether a second deposition should occur, and if so, the parameters of the deposition. Nothing in this Docket Control Order should be construed to abridge a party's right to seek a protective order as to any appropriate issue on any available ground. All other non plaintiff-specific fact discovery shall be completed by written deposition, be limited to five (5) questions per side;

three (3) cross-questions per side and two (2) redirect and must comply with the provisions of Rule 31(b) and Rule 30(c), (d) and (e) as described above. To the extent applicable and practicable, the parties shall follow the procedures outlined above for exchanging questions and objections, arranging and scheduling the depositions.

4. All fact discovery in the remaining Wave 3 cases must be completed by **September 10, 2015**, including discovery related to treating physicians by whatever method.
5. The court will permit additional fact discovery where a party specifically describes the additional discovery and shows good cause for the taking of such discovery in accordance with the Federal Rules of Civil Procedure.

B. EXPERT DISCOVERY ON AVAULTA PRODUCTS

1. **Expert Discovery and Reports.** The parties may conduct general and specific expert discovery on the Avaulta products at issue in Wave 3. In light of the bellwether trial that already occurred on the Avaulta Plus Posterior Support System, the substantial discovery conducted to date on the other Avaulta products and the workup of the Miniwave, the parties are cautioned not to engage in duplicative general expert discovery, but instead, to tailor their discovery to the remaining Avaulta products at issue (to the extent such discovery is necessary), supplementing any discovery already completed and conducting specific causation discovery for the Wave 3 plaintiffs. In light of the common products involved in this wave, the likelihood of overlap in expert opinion from one case to another (except as to specific causation) and

the need to streamline discovery in these cases, each side is limited to no more than three (3) experts per case (exclusive of treating physicians). It is the court's expectation that these experts will overlap for plaintiffs who have the same product(s), to some extent, if not entirely.

- a. In each case, the parties shall serve (i) expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2)(A) and Fed. R. Civ. P. 26(a)(2)(C), and (ii) expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B).
- b. Absent good cause shown, plaintiffs shall serve expert disclosures and reports in each case on or before **September 17, 2015**.
- c. Absent good cause shown, Bard shall serve expert disclosures and reports in each case on or before **October 16, 2015**.
- d. The parties shall serve disclosures and reports for rebuttal expert witnesses, if any, by no later than **November 27, 2015**.
- e. The court will permit additional expert discovery where a party specifically describes the additional discovery and shows good cause for the taking of such discovery in accordance with the Federal Rules of Civil Procedure.

2. Expert Depositions.

- a. **General Causation Expert Depositions.** The parties shall coordinate the depositions of general causation experts. Insofar as multiple plaintiffs have utilized the same general causation expert or experts, those experts shall be deposed only once on the issue of general causation. As to Bard's experts, plaintiffs are instructed to choose a lead questioner.

- b. Specific Causation Expert Depositions.** The opinions of experts regarding their specific causation opinions for individual plaintiffs shall be obtained by written deposition as follows:
- i.** Bard or a plaintiff shall submit no more than thirty (30) written deposition questions per expert to the opposing party by no later than **October 5, 2015**; the opposing party's objections shall be provided by **October 7, 2015**.
 - ii.** Cross-questions (limited to twenty (20)) shall be submitted by no later than **October 9, 2015**; the opposing party's written objections shall be provided by **October 12, 2015**.
 - iii.** Redirect questions (limited to ten (10)) shall be submitted by no later than **October 14, 2015**; the opposing party's written objections shall be provided by **October 16, 2015**.
- c.** Absent good cause shown, the parties must complete written depositions of experts by **December 4, 2015**, following the procedure identified in Rule 31(b) and Rules 30(c), (e) and (f).
- d.** In particular, the party initiating the written deposition must arrange and notice the written deposition, subpoena the deponent and provide the court reporter with the written deposition questions and objections. At the deposition, the court reporter will read the written questions to the expert, record the questions and the expert's answers and certify the deposition. The court reporter will attach the written questions and objections to the transcript of the deposition. The party initiating the

written deposition shall be responsible for maintaining the original transcript of the deposition and its attachments.

C. Motion Practice.

1. *Daubert* Motion Practice. To the extent the parties are able to file identical *Daubert* motions in multiple cases or groups of cases, they are encouraged to do so. The parties must file such omnibus motion(s) in each Wave 3 case to which it applies. If there are case-specific and/or omnibus *Daubert* motions in the individual cases, such motions are due **December 14, 2015**. Responses are due **December 28, 2015**. Replies are due **January 4, 2016**.

2. Non *Daubert* Based Dispositive (or partially dispositive) Motion Practice. Non *Daubert* based dispositive (or partially dispositive) motions also can be streamlined by grouping motions by issue and/or State. The parties are encouraged to file omnibus motions where common issues are involved in multiple cases or groups of cases. If the parties file such motions, the parties are directed to file in each Wave 3 case in which the motion applies. Individual and/or omnibus motions are due **December 14, 2015**. Responses are due **December 28, 2015**. Replies are due **January 4, 2016**.

3. *Daubert* Based Dispositive Motion Practice. *Daubert* based dispositive motions are due **February 8, 2016**. Responses are due **February 22, 2016**. No reply briefs shall be filed for *Daubert*-based dispositive motions.

4. Motions in Limine. Motions in Limine may be filed only upon leave of court based on a showing of specific need for that particular issue to be determined prior to trial. In the event the court grants leave, motions are limited to 3 pages

each, responses are limited to 2 pages each. No reply briefs shall be filed for motions in limine.

5. Hearings. Dates for hearings on motions, if any, will be set at a future status conference.

6. Page limitations. If the parties file omnibus motions related to multiple cases or groups of cases, I will not impose additional page limits beyond those contained in the court's Local Rules of Civil Procedure 7.1(a)(2). The parties shall provide courtesy copies to the court in accordance with Local Civil Rule 7.1(a)(5), and requests that such courtesy copies include the header added upon filing. If a motion (other than a motion in limine) does not apply to more than one case, the court imposes the following deadlines: the memorandum in support of the motion is limited to five (5) double spaced pages; the response is limited to three (3) double spaced pages; and the reply is limited to two (2) double spaced pages.

7. Placeholder Exhibits. In the past, the court has permitted parties to file placeholder exhibits in support of *Daubert*, dispositive and other motions, responses and replies in the place of confidential documents that may be sealed and then, within five days, redact/dedesignate the documents or file a motion to seal. Moving forward, *the court will no longer permit this practice. Parties may no longer file placeholder exhibits. The court expects leadership counsel for plaintiffs and Bard to resolve issues related to confidential designations well before the filing of the above motions.* Filings containing placeholder exhibits will be struck. In the event there are

issues related to sealing of confidential documents that the parties are unable to resolve, they must be brought to the court's attention in a consolidated manner as follows: Any consolidated motion to seal is due on or before **November 9, 2015**, any response is due **November 17, 2015**, and any reply is due **November 24, 2015**.

D. CASES READY FOR TRANSFER, REMAND OR TRIAL.

1. At the conclusion of pre-trial proceedings, the court, pursuant to PTO # 51 and 28 U.S.C. § 1404(a), will transfer each directly-filed case to a federal district court of proper venue as defined in 28 U.S.C. § 1391. In the alternative, pursuant to PTO # 51 and 28 U.S.C. § 1407, cases that were transferred by the JPML shall be remanded for trial to the federal district court from which each such case was initially transferred. The trial date for cases transferred or remanded to other federal district courts shall be set by the judge to whom the transferred or remanded case is assigned (including the undersigned through intercourt assignment). The federal district court to which the case is remanded will be advised that no further discovery should be permitted as such would interfere with the handling of the MDL.
2. If a case is to be tried in the United States District Court for the Southern District of West Virginia (by agreement of the parties), the case shall be deemed trial-ready as soon as discovery is completed and the court rules on the parties' motions in limine and non dispositive *Daubert* motions.

The court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-02187 and **in all Wave 3 cases** 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 2:14-cv-29856. 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.wvsd.uscourts.gov.

ENTER: December 16, 2014



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Plaintiffs	Case No.	Joint Venue Recom
Jay, Laura and Jay, Donald Gerry	2:13-cv-08536	AL ND
Williams, Geraldine	2:13-cv-26458	AL SD
Burnside, Henryetta and Burnside, Michael	2:12-cv-07071	AR ED
Johnston, Paulette	2:11-cv-00973	AR ED
Meherg, Mildred and Meherg, Huey	2:12-cv-07072	AR ED
Stoffle, Nellie Ann and Stoffle, William	2:12-cv-01159	AR ED
Winn, Roberta L. and Winn, Gerald L.	2:13-cv-29802	AR ED
Durrant, Amy and Durrant, Steve	2:12-cv-02389	AZ
Rogers, Irene	2:14-cv-17302	AZ
Escalante, Hilda Yolanda	2:13-cv-24754	CA
Crowley, Cynthia	2:14-cv-12413	CA CD
Hanna, Mary Ann and Hanna, Michael	2:14-cv-10944	CA CD
Lopez-Sonzogni, Judy	2:13-cv-27757	CA CD
Carroll, Margaret and Carroll, Thomas Wilbur	2:13-cv-10925	CA ED
Deprosse, Michelle L. and Deprosse, Cole S.	2:13-cv-09080	CA ED
Gates, Patricia	2:12-cv-08372	CA ED
Kile, Linda J. and LeMay, Sean	2:13-cv-10421	CA ED
Soria, Lucy and Becerra, Gabino	2:12-cv-02388	CA ED
Sovern, Sharon	2:14-cv-04409	CA ED
Graham, Deborah D. and Graham, James	2:12-cv-09691	CA ND
Cannon, Carolyn and Cannon, Patrick	2:11-cv-00790	CO
Hardy, Blanche and Hardy, Richard	2:13-cv-26567	CO
Romero, Mary	2:14-cv-17541	CO
Schoenholtz, Alfreda	2:14-cv-15210	CO
Vigna, Stefanie	2:14-cv-05021	CO
Leasure, Linda and Leasure, Robert	2:12-cv-07921	DE
Lacher, Laura and Lacher, Jr., Norman George	2:12-cv-03351	FL
Acuff, Shirley M. and Acuff, John W.	2:13-cv-27643	FL MD
Burket, Judith	2:12-cv-01218	FL MD
Callen, Doris H. and Callen, Jerry K.	2:14-cv-14375	FL MD
Douglas, Gloria	2:11-cv-00775	FL MD
Duncan, Naomi and Tibaduiza, Manuel	2:12-cv-00035	FL MD
Harrison, Susan and Harrison, Robert	2:12-cv-06602	FL MD
Johns, Jeanette Louise	2:12-cv-08527	FL MD
Katsiafas, Gladys E.	2:13-cv-13586	FL MD
Leavine, Judy Ann and Leavine, Gary W.	2:14-cv-11566	FL MD
Marinelli, Donna Gaye and Marinelli, Joseph	2:13-cv-06281	FL MD
Massengill, JoAnn	2:14-cv-14259	FL MD
Messer, Cecil M. and Messer, Herbert R.	2:13-cv-03576	FL MD
Ramkalawn-Sinanan, Chan	2:14-cv-12603	FL MD
Rendeiro-Lontrao, Cynthia	2:14-cv-00462	FL MD
Richter, Barbara	2:13-cv-06013	FL MD

Plaintiffs	Case No.	Joint Venue Recom
Robles, Martha and Robles, Manuel	2:13-cv-22376	FL MD
Rogers, Hilda A and Rogers, Sr., Joe C.	2:14-cv-11998	FL MD
Scott, Janet Lee and Scott, Jerry	2:14-cv-10886	FL MD
Sherrill, Cheryl	2:12-cv-07792	FL MD
Sloan, Fern and Sloan, Stanley	2:13-cv-22500	FL MD
St. Cyr, Janice L. and St. Cyr, Paul L.	2:14-cv-02313	FL MD
Sullivan, Angela and Sullivan, Christopher	2:11-cv-00815	FL MD
Vogt, Dorothy	2:11-cv-00383	FL MD
Watts, Dorothy and Watts, Raymond	2:11-cv-00835	FL MD
Zaleski, Patricia and Zaleski, Richard	2:12-cv-00251	FL MD
Briggs, Cheryl and Briggs, Eugene	2:11-cv-00898	FL ND
Cantrell, Tjawana and Cantrell, Douglas R.	2:12-cv-06894	FL ND
Merrill, Julia Ann	2:13-cv-01856	FL ND
Sapp, Judith	2:13-cv-24561	FL ND
Walter, Wilma and Walter, Frank	2:12-cv-05743	FL ND
Huber, Karen	2:13-cv-02424	FL SD
Velasquez, America	2:14-cv-06959	FL SD
Walters, Vicki D. and Walters, Ron	2:14-cv-08624	GA
Adam, Nichole	2:12-cv-01032	GA ND
Anderson, Jeanette	2:11-cv-00440	GA ND
Beasley, Glenda and Beasley, Bill	2:11-cv-00437	GA ND
Bennett, Betty Ann and Bennett, William	2:11-cv-01010	GA ND
Bonita, Bev	2:12-cv-01036	GA ND
Brannon, Shelley	2:12-cv-01035	GA ND
Butcher, Marion	2:11-cv-00231	GA ND
Cadie, Patricia and Cadie, Adam	2:12-cv-00080	GA ND
Cash, Lynelle and Cash, John	2:11-cv-00438	GA ND
Chaulklin, Diane	2:12-cv-02615	GA ND
Clark, Maryanne	2:11-cv-00163	GA ND
Crosby, Donna and Crosby, Dale	2:11-cv-00631	GA ND
Dalman, Jerry	2:10-cv-01225	GA ND
Dotson, Lorea and Dotson, Eric	2:12-cv-01192	GA ND
Doyle, Judith I.	2:13-cv-31407	GA ND
Drouin, Elsie J.	2:14-cv-00509	GA ND
Dvorak, Cheryl Renee and Dvorak, Michael	2:13-cv-28428	GA ND
Everly, Jeannie and Everly, David	2:10-cv-01227	GA ND
Filley, Janice	2:11-cv-00415	GA ND
Fowler, Linda	2:11-cv-00233	GA ND
Francis, Dana and Francis, John	2:11-cv-00588	GA ND
Gaby, Unavea	2:11-cv-00119	GA ND
Garrison, Virginia M.	2:13-cv-01843	GA ND

Plaintiffs	Case No.	Joint Venue Recom
Gilbert, Ellen Mildred and Gilbert, Todd	2:12-cv-00227	GA ND
Goodwin, Margaret and Goodwin, Carl	2:11-cv-00352	GA ND
Grove, Kendra Sue and Grove, Jeffrey	2:11-cv-00271	GA ND
Hamilton, Barie and Hamilton, Vlad	2:14-cv-00507	GA ND
Harshaw, Faye	2:11-cv-00716	GA ND
Hatcher, Joyce E. and Hatcher, James E.	2:12-cv-07033	GA ND
Hayes, Joda	2:13-cv-07929	GA ND
Hedberg, Diane E and Hedberg, Robert E.	2:14-cv-01630	GA ND
Herndon, Debora Lee	2:13-cv-26832	GA ND
Hicks, Michele and Hicks, Todd	2:11-cv-00937	GA ND
Hnilo, Elizabeth and Hnilo, Robert	2:11-cv-00117	GA ND
Hoagland, Kay	2:12-cv-00992	GA ND
Hoffman, Rhonda and Hoffman, William	2:12-cv-01161	GA ND
Hoffman, Sandra and Hoffman, Kent	2:11-cv-00161	GA ND
Hudson, Lynda Davis and Hudson, Keith W.	2:13-cv-28272	GA ND
Huston, Kathryn and Hutson, Curtis	2:10-cv-01223	GA ND
Ingram, Deborah Ann and Ingram, Larry Steve	2:13-cv-07779	GA ND
Jenkins, Ruby	2:11-cv-00678	GA ND
Kabatoff, Wanda	2:11-cv-00578	GA ND
Kopp, Rose and Kopp, James	2:12-cv-00015	GA ND
Kramer, Janet	2:12-cv-00041	GA ND
Lawhorne, Nancy D. and Lawhorne, Sr., Charles E.	2:13-cv-29934	GA ND
Lewis, Karen and Lewis, Dexter	2:11-cv-00158	GA ND
Lindsay, George as Personal Representative of the Estate of Lorie Lindsey and George Lindsey	2:11-cv-00539	GA ND
Maggert, Barbara Jean and Maggert, Phillip L.	2:13-cv-01846	GA ND
Mangram, Zena Elizabeth	2:12-cv-01162	GA ND
Matthews, Michelle and Matthews, Michael	2:11-cv-00355	GA ND
McCallan, Patricia	2:10-cv-01216	GA ND
McKinnis, Delores	2:12-cv-00260	GA ND
McNally, Janet and McNally, Edward	2:10-cv-01215	GA ND
McNeill, Carolyn	2:12-cv-01157	GA ND
McVay, Anne and McVay Peter	2:10-cv-01218	GA ND
Morales, Mary and Morales, Camerino	2:12-cv-00441	GA ND
Northern, Beulah	2:11-cv-00198	GA ND
Parker, Rhonda	2:12-cv-00152	GA ND
Pete, Sally and Pete, William	2:10-cv-01217	GA ND
Pillow, Julia L. and Pillow, John	2:13-cv-07873	GA ND
Powell, Jerry M., Personal Representative of the Estate of Edythea Marie Powell and Jerry Powell	2:13-cv-07781	GA ND
Powers, Linda S	2:12-cv-07034	GA ND

Plaintiffs	Case No.	Joint Venue Recom
Pressley, Doris Jean and Pressley, John	2:12-cv-06563	GA ND
Ridgeway, Doris M.	2:14-cv-01634	GA ND
Riley, Mary Lou	2:10-cv-01220	GA ND
Robbins, Susan and Robbins, Terry	2:11-cv-00162	GA ND
Ruffin, Sheila	2:12-cv-00012	GA ND
Santillan, Beatrice and Santillan, Robert	2:10-cv-01219	GA ND
Sharp, Carolyn and Sharp, Ernest	2:11-cv-00918	GA ND
Sims, Eleanor M.	2:12-cv-03296	GA ND
Stanton, Victoria and Stanton, Robert D.	2:14-cv-11569	GA ND
Stephens, Annie Merle and Stephens, Harold Thomas	2:14-cv-12043	GA ND
Strom, Carole	2:14-cv-06563	GA ND
Thompson, Shirley Mae	2:12-cv-02510	GA ND
Tolbert, Janett and Tolbert, Willie	2:11-cv-00756	GA ND
Trammel, Kathy Joan	2:14-cv-11568	GA ND
Tyson, Lucy and Tyson, Eric	2:10-cv-01228	GA ND
Wade, Georgianna and Wade, Noah	2:11-cv-00272	GA ND
Waggoner, Joan Irene and Waggoner, Billy	2:12-cv-00016	GA ND
Walker, Linda B. and Walker, Max	2:13-cv-06550	GA ND
Waller, Teresa and Waller, Lynwood	2:12-cv-00233	GA ND
Wood, Joan C. and Wood, Edward	2:13-cv-24560	GA ND
Fitzanko, Coleen and Fitzanko, Steven	2:13-cv-06433	IL CD
Johnson-Swan, Lynn and Swan, Allan Lee	2:13-cv-10929	IL CD
Charbonnier, Marcellina	2:13-cv-18823	IL ND
Doyle, Mildred and Doyle, James	2:12-cv-07923	IL ND
Guevara, Ana A. and Guevara, Cayetano A.	2:14-cv-06584	IL ND
Linares, Irma	2:14-cv-06835	IL ND
Pasqua, Sharon	2:13-cv-30670	IL ND
Pingel, Julie L	2:13-cv-24977	IL ND
Pool, Shirley Maxine	2:13-cv-31354	IL ND
Prochaska, Kimberly and Prochaska, Daniel	2:14-cv-01085	IL ND
Dukich, Kim Kristine	2:13-cv-29259	KS
Smallwood, Susia Pugh	2:14-cv-03051	MD
Knight, Sylvia	2:14-cv-12399	MD SD
Schicker, Mary and Schicker, Thomas J.	2:12-cv-02289	MI ED
Vandeputte, Karen	2:11-cv-00769	MI ED
Fletcher, Glennis and Fletcher, Gordon	2:13-cv-04014	MI WD
Rueda, Olivia and Rueda, Enrique M.	2:13-cv-02175	MI WD
Derickson, Eileen and Dauer, Vernon	2:13-cv-25157	MN
Fredericks, Deanna Lynn	2:13-cv-02976	MN
Giesler, Judith M.	2:14-cv-01629	MN
Hannahs, Danielle and Hannahs, David	2:14-cv-07326	MN
Housman, Wilma	2:12-cv-01247	MO ED

Plaintiffs	Case No.	Joint Venue Recom
Davis, Gailya	2:13-cv-33153	MO WD
Herpich, Rae Lynn and Herpich, Steve	2:13-cv-29274	MO WD
Colletti, Joan and Colletti, David	2:14-cv-11534	MS SD
Green, Constance and Green, Kayon	2:13-cv-10928	MS SD
Arnold, Linda Sue and Arnold, Chester	2:13-cv-14022	NC ED
Whaley, Sophia	2:13-cv-10214	NC ED
Richards, Rhonda	2:14-cv-00463	NC WD
Hewitt, Amy and Hewitt, Lowell	2:13-cv-22386	ND
Michael, Margery and Michael, James	2:13-cv-12996	ND
Perron, Dorothy	2:12-cv-00164	NH
Beer, Rebecca	2:13-cv-30586	NJ
Burton, Diana Lee	2:12-cv-05983	NJ
Garcia, Maria Guadalupe B.	2:12-cv-08082	NJ
Gray, Janet	2:12-cv-08078	NJ
Post, Janet	2:11-cv-00635	NJ
Rodriguez, Ramonita and Rodriguez, Luis	2:13-cv-33422	NJ
Wydner, Joyce Elouise and Wydner, Jeffrey	2:12-cv-03273	NJ
Pushor, Shirley T.	2:13-cv-06002	NJ or FL MD
Harris, Martha Rachel and Harris, Shuratt J.	2:13-cv-09586	NJ SC
Lewis, Emma Lu and Lewis, Stewart W.	2:14-cv-00475	NV
Stauber, Ann	2:12-cv-08741	NY SD
Fournier, Renee	2:11-cv-00632	NY WD
Barnes, Lois	2:11-cv-00838	OH ND
Dahill, Annetta	2:12-cv-08153	OH ND
Davis, Ressie A.	2:13-cv-24969	OH SD
Debronkart, Pamela J.	2:13-cv-02824	OH SD
Leiter, Gail H. and Leiter, Harold	2:13-cv-30883	OH SD
McQuaid, Hazel C.	2:14-cv-06896	OH SD
Harless, Donna	2:12-cv-06147	OK ED
Oakley, Linda and Oakley, Lloyd	2:13-cv-13578	OK ND
Albright, Eulonda and Albright, Terry	2:14-cv-11540	OK WD
Baker, Nancy and Baker, Michael	2:13-cv-08161	OK WD
DeMarcus, Cassandra zand DeMarcus, Brian E.	2:14-cv-15997	OK WD
Hoober, Elaine and Hoober, Raymond	2:11-cv-00836	OK WD
Stanbrough, Kathleen	2:14-cv-06937	OK WD
Cooper, Donna and Cooper, Michael	2:13-cv-24931	OR
Durfee, Phylis	2:14-cv-14844	OR
Manning, Kathy A	2:14-cv-03662	OR
Nix, Billie Sue	2:13-cv-14011	OR
Ramirez-Tarin, Luz	2:14-cv-03703	OR

Plaintiffs	Case No.	Joint Venue Recom
Richardson, Roseline Y Richardson, Scott as Executor of	2:14-cv-05011	OR
Weisgerber, Ramona Marie	2:14-cv-03757	OR
Hassan, Gloria	2:14-cv-04236	PA ED
Kolar-Wichie, Marilyn Ann	2:14-cv-03655	PA ED
Roberts, Denise	2:14-cv-03709	PA ED
Bittle, Mary Rose	2:14-cv-16728	SC
Cline, Barbara and Cline, Richard	2:11-cv-00056	SC
Grzelak, Frances	2:13-cv-22158	SC
Miles, Elizabeth and Miles, Wade	2:12-cv-01114	SC
Yates, Darla	2:13-cv-00197	SC
Reynolds, Betty J.	2:13-cv-18868	TN ED
Garcia, Rhonda K.	2:13-cv-12023	TN MD
Sutton, Sheila	2:12-cv-00105	TN MD
Fowler, Melissa	2:12-cv-02343	TN WD
Smitty, Martha L. and Smitty, Robert C.	2:13-cv-33750	TX ED
Acosta, Maria T. and Acosta, Jose Carlos	2:13-cv-06855	TX ND
Bandy, Sylvia	2:13-cv-25799	TX ND
Beard, Susan Marie	2:13-cv-24967	TX ND
Harris-Jones, Linda and Jones, Wade	2:13-cv-02287	TX ND
Harrison, Judy L. and Harrison, Anthony	2:14-cv-17862	TX ND
Hubbard, Jeannie Leasa and Hubbard, Charles Finley	2:13-cv-26229	TX ND
Mackie, Terri T. and Mackie, James	2:12-cv-08865	TX ND
McCarty, Bessy	2:14-cv-11536	TX ND
Moore, Betty J. and Moore, Roy	2:13-cv-21863	TX ND
Carmouche, Lee	2:12-cv-01946	TX SD
Johnson, Virginia	2:13-cv-24230	TX SD
Valadez, Roberta Lynn and Valadez, Armando	2:13-cv-12099	TX SD
Dilling, Traci	2:13-cv-31927	TX WD
Mendoza, Angelyne	2:13-cv-14766	TX WD
Olivares, Jane and Olivares, Gabriel	2:13-cv-08474	TX WD
Roberts, Pamela and Roberts, Billy E.	2:14-cv-11542	TX WD
Syers, Susanne	2:14-cv-01821	TX WD
Baugh, Ladora and Baugh, Herbert L.	2:12-cv-00212	UT
Rojas, Dolores	2:13-cv-24376	UT
Thacker, Chadley Ann and Thacker, F. Weldon	2:13-cv-17057	UT
Hankemeier, Luann	2:14-cv-15683	WI ED
Nickolaisen, Joan M. and Nickolaisen, James L.	2:14-cv-02076	WI ED
Liddle, Suzanne	2:13-cv-05545	WI WD
Steinhoff, Teri and Steinhoff, John	2:14-cv-02922	WI WD
Bartley, Patty and Bartley, Charles	2:11-cv-00787	WV ND
Dayhoff, Jeana zand Dayhoff, Bruce	2:13-cv-14021	WV ND
Havens, Deborah and Havens, Curtis	2:12-cv-01160	WV ND

Wave 3 Cases

Plaintiffs	Case No.	Joint Venue Recom
Lewis, Hazel L.	2:14-cv-04421	WV ND
Zgurski, Pamela J. and Zgurski, Stanley Chester	2:12-cv-04555	WV ND
Adkins, Betty and Adkins, Raymond	3:10-cv-00824	WV SD
Blake, Aricia and Blake, Blufford	2:10-cv-01380	WV SD
Devore, Connie and DeVore, Carroll	2:12-cv-01382	WV SD
Patterson, Gloria	2:11-cv-00294	WV SD
Romero, Mayra A. and Romero, Freddy	2:14-cv-05623	
Senderling, Linda Carol	2:13-cv-07928	
Tedford, Jerri	2:14-cv-15231	