

**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**

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**THIS DOCUMENT RELATES TO ALL CASES IDENTIFIED IN EXHIBIT A**

**PRETRIAL ORDER # 293  
(Order re: Rescheduling Mandatory Settlement Conference for  
Certain Remaining Plaintiffs in Bard MDL)**

The court **ORDERS** that Pretrial Order # 290 (Order re: Mandatory Settlement Conference for Certain Remaining Plaintiffs in Bard MDL) is **VACATED**. A new PTO is set forth below that reschedules the deadlines contained in paragraphs 1, 2 and 3 of PTO # 290, but otherwise remains unchanged.

For reasons appearing to the court, it is **ORDERED** as follows:

1. Counsel for all plaintiffs identified in the attached Exhibit A, who have alleged claims against C. R. Bard, Inc. (“Bard”) and whose cases have not been resolved (i.e. dismissed with or without prejudice, placed on an inactive docket, or notice of settlement filed with the court), and are not subject to an agreement in principle to resolve, are directed to meet and confer with Pepper Hamilton LLP,<sup>1</sup> settlement counsel for Bard, on or before October 3, 2018, and to engage in good faith discussions about the possibility of settlement. Counsel

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<sup>1</sup> Counsel at Pepper Hamilton who may be contacted include Nina Gussack, George Lehner, Ken Zucker and Erin Colleran. Nina Gussack may be reached at (215) 981-4950 or gussackn@pepperlaw.com. George Lehner may be reached at (202) 220-1416 or lehnerg@pepperlaw.com. Ken Zucker may be reached at (215) 981-4750 or zuckerk@pepperlaw.com. Erin Colleran may be reached at (202) 220-1236 or collerane@pepperlaw.com.

may also contact Mr. Henry Garrard or Mr. Derek Potts, coleads of the Bard MDL, or Special Master Ellen Reisman, appointed by the Court on February 12, 2015, regarding coordination of settlement discussions with Bard.<sup>2</sup>

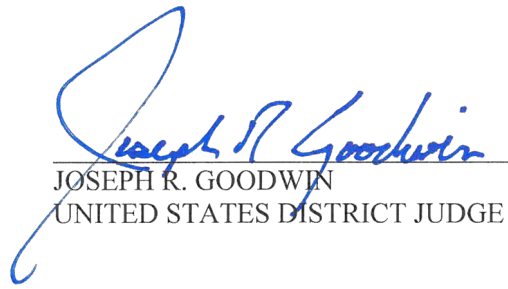
2. Messrs. Garrard and Potts and Bard Settlement Counsel are directed to provide a joint written report to the court and Special Master Reisman via email on October 8, 2018, identifying which cases remaining on Exhibit A, if any, have not been resolved or dismissed.
3. On October 11, 2018, the court will enter an order identifying the cases where a settlement conference will be conducted because the case was not resolved or dismissed. That order will identify on which of the following dates the parties in each case must appear for the settlement conference: **November 7, 8 and 9, 2018 or such other date as set by the court.** Each day, the settlement conferences will begin at 9:00 a.m. in Charleston, West Virginia at the Robert C. Byrd United States Courthouse (Room number will be provided in the October 11, 2108, order). Settlement conferences will continue in each case from day-to-day and parties should come prepared for evening work.
4. Individual plaintiffs whose cases are scheduled for a settlement conference shall appear in person for the settlement conference along with counsel of record.
5. Any plaintiff who fails to comply with this PTO may be subject to a substantial sanction, including dismissal with prejudice.
6. Cases not settled during the settlement conference will be dealt with by further order.

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<sup>2</sup> Mr. Garrard may be reached at (706) 354-4000 or [hgg@bbgbalaw.com](mailto:hgg@bbgbalaw.com). Mr. Potts may be reached at (713) 963-8881 or [dpotts@potts-law.com](mailto:dpotts@potts-law.com). Special Master Reisman may be reached at (202) 695-7712 or [Ellen.Reisman@rkgattorneys.com](mailto:Ellen.Reisman@rkgattorneys.com).

The Court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2187 and in the cases listed on Exhibit A. The orders may be accessed through the CM/ECF system or the Court's website at [www.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: September 11, 2018



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

## Exhibit A

CIVIL ACTION NUMBER	Case Name
2:11-cv-00764	McCormick v. C. R. Bard, Inc., et al.
2:12-cv-01361	Farrell, et al. v. C. R. Bard, Inc.
2:12-cv-01363	Goodreau, et al. v. C. R. Bard, Inc.
2:12-cv-02598	Pestow, et al. v. C. R. Bard, Inc.
2:12-cv-04914	Farmer v. C. R. Bard, Inc.
2:12-cv-06941	Fudickar v. C. R. Bard, Inc.
2:13-cv-00470	Melendez v. C. R. Bard, Inc.
2:13-cv-01145	Dawson v. C. R. Bard, Inc.
2:13-cv-02525	Rosenberger v. C. R. Bard, Inc., et al.
2:13-cv-02595	Lowery, et al. v. C. R. Bard, Inc., et al.
2:13-cv-02910	Vance v. C. R. Bard, Inc.
2:13-cv-03882	Clark v. C. R. Bard, Inc.
2:13-cv-04365	Caldwell v. C. R. Bard, Inc.
2:13-cv-05920	Grube, et al. v. C. R. Bard, Inc.
2:13-cv-07141	Lamb v. C. R. Bard, Inc.
2:13-cv-07780	Nelson, et al. v. C. R. Bard, Inc.
2:13-cv-09953	Plowman, et al. v. C. R. Bard, Inc.
2:13-cv-11232	O'Shea v. C. R. Bard, Inc.
2:13-cv-11541	Perkins v. C. R. Bard, Inc.
2:13-cv-12514	Martin, et al. v. C. R. Bard, Inc.
2:13-cv-12606	Pike v. C. R. Bard, Inc., et al.
2:13-cv-15810	Bortolussi, et al. v. C. R. Bard, Inc.
2:13-cv-18261	Williams v. C. R. Bard, Inc.
2:13-cv-18332	Lord, et al. v. C. R. Bard, Inc., et al.
2:13-cv-18728	Monico v. C. R. Bard, Inc.
2:13-cv-18730	Simms v. C. R. Bard, Inc.
2:13-cv-20202	Frady v. C. R. Bard, Inc.
2:13-cv-22592	McKenzie v. C. R. Bard, Inc.
2:13-cv-24054	Kelley, et al. v. C. R. Bard, Inc.
2:13-cv-24150	Haynes v. C. R. Bard, Inc., et al.
2:13-cv-24253	Datil v. C. R. Bard, Inc.
2:13-cv-24449	Boone, et al. v. C. R. Bard, Inc.
2:13-cv-25793	Charland v. C. R. Bard, Inc.
2:13-cv-26524	Lancia v. C. R. Bard, Inc.
2:13-cv-26878	Reittinger v. C. R. Bard, Inc.
2:13-cv-28207	Tolmasoff v. C. R. Bard, Inc.
2:13-cv-31855	Gerrish v. C. R. Bard, Inc.

2:14-cv-00598	Maffei, et al. v. C. R. Bard, Inc.
2:14-cv-00618	Bartolome, et al. v. C. R. Bard, Inc., et al.
2:14-cv-03707	Reed v. C. R. Bard, Inc.
2:14-cv-05847	Durant v. C. R. Bard, Inc.
2:14-cv-06930	Riverav. C. R. Bard, Inc.
2:14-cv-07039	Kemp, et al. v. C. R. Bard, Inc.
2:14-cv-08488	Moloski, et al. v. C. R. Bard, Inc., et al.
2:14-cv-09868	Moody v. C. R. Bard, Inc.
2:14-cv-11882	Hartwell v. C. R. Bard, Inc.
2:14-cv-12498	Hernandez v. C. R. Bard, Inc., et al.
2:14-cv-14260	Steigerwalt v. C. R. Bard, Inc.
2:14-cv-14759	Orwig v. C. R. Bard, Inc.
2:14-cv-16754	Lamey, et al. v. C. R. Bard, Inc.
2:14-cv-18946	Dennis, et al. v. C. R. Bard, Inc.
2:14-cv-20531	Fuentes v. C. R. Bard, Inc., et al.
2:14-cv-23318	Smith v. C. R. Bard, Inc.
2:14-cv-26233	Mills v. C. R. Bard, Inc.
2:14-cv-29123	Mrozekv. C. R. Bard, Inc.
2:14-cv-30188	Abato, et al. v. C. R. Bard, Inc.
2:14-cv-30841	Byrd v. C. R. Bard, Inc.
2:15-cv-01548	Scott, et al. v. C. R. Bard, Inc.
2:15-cv-02291	Setts-Bader v. C. R. Bard, Inc.
2:15-cv-02466	Huetis v. C. R. Bard, Inc.
2:15-cv-05965	Gibson v. C. R. Bard, Inc.
2:15-cv-05998	Espinozav. C. R. Bard, Inc.
2:15-cv-06229	Stiles v. C. R. Bard, Inc.
2:15-cv-06945	Wiegand, et al. v. C. R. Bard, Inc.
2:15-cv-09857	Sadeckas, et al. v. C. R. Bard, Inc.
2:15-cv-10738	Rakosnik v. C. R. Bard, Inc., et al.
2:15-cv-11113	Crigler v. C. R. Bard, Inc.
2:15-cv-11260	Mecham, et al. v. C. R. Bard, Inc.
2:15-cv-11502	Mosel v. C. R. Bard, Inc.
2:15-cv-12866	Brown v. C. R. Bard, Inc., et al.
2:15-cv-12992	Zaniboni, et al. v. C. R. Bard, Inc., et al.
2:15-cv-13364	Armstrong v. C. R. Bard, Inc.
2:15-cv-13401	Prohaskav. C. R. Bard, Inc.
2:15-cv-13623	Lay v. C. R. Bard, Inc.
2:15-cv-14425	Pennington, et al. v. C. R. Bard, Inc.
2:15-cv-14890	Lafferty v. C. R. Bard, Inc.
2:15-cv-15799	Williams v. C.R. Bard, Inc., et al.
2:16-cv-00018	Groover v. C. R. Bard, Inc.
2:16-cv-00093	Marrs, et al. v. C. R. Bard, Inc.
2:16-cv-00214	Mucito, et al. v. C. R. Bard, Inc.

2:16-cv-01812	Glover, et al. v. C. R. Bard, Inc.
2:16-cv-02097	Guarino, et al. v. C. R. Bard, Inc.
2:16-cv-03191	Gray, et al. v. C. R. Bard, Inc.
2:16-cv-04249	Schmitt, et al. v. C. R. Bard, Inc., et al.
2:16-cv-04497	Vadeika v. C. R. Bard, Inc.
2:16-cv-04677	Bushfield, et al. v. C. R. Bard, Inc.
2:16-cv-04691	McCormick v. C. R. Bard, Inc.
2:16-cv-05178	Sanders, et al. v. C. R. Bard, Inc.
2:16-cv-05373	Parker, et al. v. C. R. Bard, Inc.
2:16-cv-05447	Summerlin, et al. v. C. R. Bard, Inc.
2:16-cv-07771	Ailer v. C. R. Bard, Inc.
2:16-cv-09029	Guerra v. C. R. Bard, Inc.
2:16-cv-09418	Vickery v. C. R. Bard, Inc., et al.
2:16-cv-09530	Sanchez v. C. R. Bard, Inc.
2:16-cv-10589	Stoffel v. Boston Scientific Corporation, et al.
2:16-cv-11018	Murbarger v. C. R. Bard, Inc.
2:16-cv-11019	Schneider v. C. R. Bard, Inc.
2:16-cv-11032	Tucker v. C. R. Bard, Inc.
2:16-cv-11180	Zeitler v. C. R. Bard, Inc.
2:16-cv-11270	Wilson v. C. R. Bard, Inc.
2:16-cv-11706	Barker v. C. R. Bard, Inc.
2:16-cv-11796	Hasselberger v. C. R. Bard, Inc.
2:16-cv-11816	Simball v. C. R. Bard, Inc.
2:16-cv-11852	Ibarra, et al. v. C. R. Bard, Inc.
2:16-cv-11855	Lorenzen, et al. v. C. R. Bard, Inc.
2:16-cv-11857	Ramos v. C. R. Bard, Inc.
2:16-cv-11858	Salzman, et al. v. C. R. Bard, Inc.
2:16-cv-11874	Denson v. C. R. Bard, Inc.
2:16-cv-11876	Fogle v. C. R. Bard, Inc.
2:16-cv-11884	Guerrero v. C. R. Bard, Inc.
2:16-cv-11915	Vaas v. C. R. Bard, Inc.
2:16-cv-11919	White v. C. R. Bard, Inc.
2:16-cv-11920	Wick v. C. R. Bard, Inc.
2:17-cv-00811	Rutledge v. C. R. Bard, Inc.
2:17-cv-00973	Thornburg v. C. R. Bard, Inc.
2:17-cv-01012	Valdez, et al. v. C. R. Bard, Inc.
2:17-cv-01015	Boles v. C. R. Bard, Inc.
2:17-cv-01142	Hall v. C. R. Bard, Inc.
2:17-cv-01686	Goodman, et al. v. C. R. Bard, Inc.
2:17-cv-01989	Fimbres v. C. R. Bard, Inc.
2:17-cv-02310	DeWitte v. C. R. Bard, Inc., et al.
2:17-cv-02888	Luter v. C. R. Bard, Inc.
2:17-cv-02893	Johnson, et al. v. C. R. Bard, Inc., et al.

2:17-cv-03285	Hudson, et al. v. C. R. Bard, Inc.
2:17-cv-03286	Trosper v. C. R. Bard, Inc.
2:17-cv-03347	Conway v. C. R. Bard, Inc.
2:17-cv-03649	Johnson v. C. R. Bard, Inc.
2:17-cv-03847	Huneycutt v. C. R. Bard, Inc.
2:17-cv-03867	Hughes v. C. R. Bard, Inc.
2:17-cv-04539	Cornelius v. C. R. Bard, Inc.
2:17-cv-04574	Silcox v. C. R. Bard, Inc.
2:18-cv-00034	Clarke, et al. v. C. R. Bard, Inc.
2:18-cv-00072	Graham v. C. R. Bard, Inc.
2:18-cv-00097	Dvorkin, et al. v. C. R. Bard, Inc., et al.
2:18-cv-00351	Cainv. C. R. Bard, Inc.
2:18-cv-00538	Lirav. C. R. Bard, Inc.
2:18-cv-00539	Henson v. C. R. Bard, Inc.
2:18-cv-00541	Bow, et al. v. C. R. Bard, Inc.
2:18-cv-00590	Morgan v. C. R. Bard, Inc., et al.
2:18-cv-00607	Dahms v. C. R. Bard, Inc., et al.
2:18-cv-00679	Groen v. C. R. Bard, Inc.
2:18-cv-01059	Griffith v. C. R. Bard, Inc.