

**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 THE CASES
LISTED BELOW

**PRETRIAL ORDER # 227
(Order re: Mandatory Settlement Conference for
Additional Covidien LP, Sofradim and TSL Plaintiffs)**

Pursuant to Pretrial (“PTO”) Order # 220, counsel recently provided a joint written report to the court identifying those cases with claims against Covidien LP¹ (“Covidien”), Sofradim Production SAS² (“Sofradim”) and/or Tissue Science Laboratories Limited³ (“TSL”) that remain in the Bard MDL despite good faith discussions contemplated in PTO # 220 over the past month. By PTO # 223, I set mandatory settlement conferences in the cases identified by counsel at Exhibits A, B and C attached to the PTO.

¹ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, Medtronic International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

² Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

³ Tissue Science Laboratories Limited includes any incorrect or incomplete spelling of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

Certain cases were not included in the exhibits attached to PTO # 223. It is **ORDERED** that in those cases listed below, the court will conduct mandatory settlement conferences beginning on **November 9, 2016, at 9:00 a.m.** in Room 7800 and continuing from day-to-day thereafter:

Sylvia Lopez, et al. v. C. R. Bard, Inc., et al.	2:15-cv-16542
Lori M. Smith v. C. R. Bard, Inc., et al.	2:14-cv-13735
Sarah Cook v. C. R. Bard, Inc., et al.	2:13-cv-17133

In other cases identified on the exhibits attached to PTO # 223, the parties did not conclude their negotiations on October 25, 2016. It is **ORDERED** that the court will conduct or continue to conduct mandatory settlement conferences beginning on **November 9, 2016, at 9:00 a.m.** in Room 7800 and continuing from day-to-day thereafter in those cases:

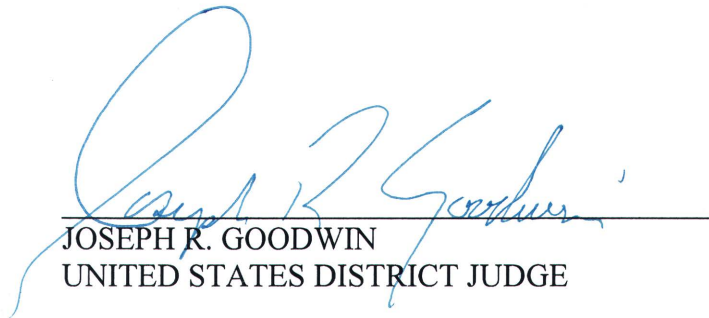
Gale Mastrofrancesco, et al. v. C. R. Bard, Inc., et al.	2:14-cv-18872
Paula Kvacik, et al. v. C. R. Bard, Inc., et al.	2:15-cv-13311
Fronde Culbertson, et al. v. C. R. Bard, Inc., et al.	2:11-cv-00796

It is **ORDERED** that (1) individual plaintiffs whose cases are scheduled for a settlement conference shall appear in person for the settlement conference with counsel of record as reflected on the docket sheet for that plaintiff's individual case; and (2) any plaintiff who fails to comply with this PTO may be subject to a substantial sanction, including dismissal with prejudice. Finally, it is **ORDERED** that if the parties reach a settlement in any of the above cases, submission of an inactive docket order for that case will relieve plaintiff and her counsel from the obligation of attending the mandatory settlement conference.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2187 **and in the cases identified above** 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 2:16-cv-10036. 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: October 27, 2016



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE