

**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 IDENTIFIED IN EXHIBIT A**

**PRETRIAL ORDER # 277  
(Order re: Mandatory Settlement Conference for  
Remaining Covidien LP, Sofradim and TSL Plaintiffs)**

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 Covidien LP<sup>1</sup> (“Covidien”), Sofradim Production SAS<sup>2</sup> (“Sofradim”) and/or Tissue Science Laboratories Limited<sup>3</sup> (“TSL”) and whose cases have not been resolved (i.e. dismissed with or without prejudice or placed on an inactive docket), and are not subject to an agreement in principle to resolve, are directed to meet and confer with Mr. Joe Petrosinelli<sup>4</sup>, settlement counsel for Covidien, Sofradim and TSL on or before **May 14**,

---

<sup>1</sup> 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.

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

<sup>3</sup> 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.

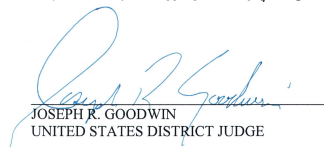
<sup>4</sup> Mr. Petrosinelli may be reached at (202)434-5547 or at [jpetrosinelli@wc.com](mailto:jpetrosinelli@wc.com).

**2018**, and to engage in good faith discussions about the possibility of settlement. Counsel may also contact Mr. Henry Garrard or Mr. Derek Potts, coleads of the Bard MDL, regarding coordination of settlement discussions with Covidien/Sofradim/TSL.<sup>5</sup>

2. Messrs. Garrard, Potts and Petrosinelli are directed to provide a joint written report to the court via email on **May 18, 2018**, as to which Covidien/Sofradim/TSL cases remaining in the Bard MDL, if any, have not been resolved or dismissed.
3. In all cases that have not been resolved or dismissed by **May 18, 2018**, the court will conduct settlement conferences in Charleston, West Virginia at the Robert C. Byrd United States Courthouse, Room 7800 beginning at **9:00 a.m.** on **June 6, 2018**, and continuing from day-to-day thereafter. Parties should come prepared for evening work.
4. The court will enter an order on **May 22, 2018**, identifying the cases wherein a settlement conference will be conducted.
5. Individual plaintiffs whose cases are scheduled for a settlement conference shall appear in person for the settlement conference with counsel.
6. Any plaintiff who fails to comply with this PTO may be subject to a substantial sanction, including dismissal with prejudice.
7. Cases not settled during the settlement conference will be dealt with by further order.

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: March 27, 2018

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

---

<sup>5</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).

EXHIBIT A

Case Name	Current Case Number
Fox, Rebecca and Jason	2:11-cv-00782
Gonzalez, Kamaya Carmean and Heriberto	2:12-cv-06630
Matchette, Molly Dale and Kevin Dale	2:12-cv-06903
Jarnagin, Tammy J. and Robert	2:12-cv-08017
Prieto, Christina Albury and Felix	2:13-cv-01369
Strawmyre, Darla and Tim	2:13-cv-08881
Potter, Sharon J. and Guy Danielson	2:13-cv-12095
Sebastian, Gail and Shannon Seals	2:13-cv-17049
Green, Davene	2:13-cv-21387
Harper, Cheryl E.	2:14-cv-02033
Mearkle, Connie J.	2:14-cv-08037
Cardoza, Ina	2:17-cv-01980
Martin, Glenda A. and Chris W.	2:17-cv-02424
Hiemenz, Gloria	2:17-cv-04033