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

**CHARLESTON DIVISION** 

IN RE: AMERICAN MEDICAL SYSTEMS, INC.

PELVIC SUPPORT SYSTEMS

PRODUCTS LIABILITY LITIGATION

**MDL 2325** 

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THIS DOCUMENT RELATES TO CASES

IDENTIFIED ON EXHIBITS A and B

PRETRIAL ORDER # 274

(Docket Control Order – American Medical Systems, Inc. Wave 5 Cases)

The cases on Exhibit A have resided on the inactive docket beginning as early as July 2,

2017, through December 31, 2017. Despite representations in inactive docket orders proposed by

the parties and entered by the court, that the cases on Exhibit A have been settled or entered into a

settlement model, and despite repeated warnings by the court that cases will not remain on the

inactive docket indefinitely, the number of cases on the inactive docket remains in the thousands.<sup>1</sup>

To address this issue, in addition to the court's decision to end the parties' ability to place

cases on the inactive docket beginning November 1, 2018 (as accomplished by a previous Pretrial

Order), the court finds it necessary to return the cases on Exhibit A to the active docket and place

them on the scheduling order set forth below. The cases on Exhibit B are not flagged as inactive

in this MDL and are not currently subject to a docket control order, and the court now enters the

scheduling order set forth below as to those cases as well.

Accordingly, the court **ORDERS** that the cases on Exhibits A are:

1. removed from the pending inactive docket; and

2. placed on the active docket.

<sup>1</sup> The court is aware of pending motions to dismiss in some cases and will deal with them as quickly as possible.

As to the cases on Exhibits A and B, the court further **ORDERS** that:

- 1. The cases are no longer eligible for return to the inactive docket nor may notices of settlement be filed to relieve the parties from scheduling deadlines;
- 2. To the extent other defendants, in addition to American Medical Systems, Inc. ("AMS"), are named in the cases on Exhibits A and B, the deadlines below also apply to them;
- 3. The Clerk will file this Docket Control Order in the main MDL and, as of the time of that filing in the main MDL, every case listed on Exhibits A and B (hereinafter referred to as "Wave 5 cases") becomes subject to the deadlines in this Docket Control Order. This Docket Control Order will be placed in each individual case as quickly as administratively possible; and
- 4. The following deadlines immediately apply in all Wave 5 cases with one important exception. If any of the cases on any exhibit were previously on a docket control order and dispositive and Daubert deadlines had passed before such cases became inactive, the parties may not file or refile dispositive or Daubert motions without first seeking leave of court for good cause shown. While the court is returning cases to the active docket, it is not the court's intention to allow a new round of pleadings or a second bite at the apple for cases already worked up in previous waves.
  - A. SCHEDULING DEADLINES. The following deadlines shall apply in all AMS Wave 5 cases:

| Plaintiff Fact Sheets. <sup>2</sup>   | 02/15/2019 |
|---|------------|
| Defendant Fact Sheets. <sup>3</sup>   | 02/22/2019 |
| Deadline for written discovery requests.  | 03/25/2019 |
| Expert disclosures served by plaintiffs pursuant to Fed. R. Civ. P. 26 as limited by ¶ 3.a. of this order.            | 05/24/2019 |
| Expert disclosure served by defendants pursuant to Fed. R. Civ P. 26 as limited by ¶ 3.a. of this order. <sup>4</sup> | 06/24/2019 |
| Expert disclosure served for rebuttal pursuant to Fed. R. Civ. P. 26 as limited by ¶ 3.a. of this order.              | 07/01/2019 |
| Deposition deadline and close of discovery.   | 08/01/2019 |
| Filing of dispositive motions.  | 08/14/2019 |
| Response to dispositive motions.  | 08/28/2019 |
| Reply to response to dispositive motions.   | 09/04/2019 |
| Filing of <i>Daubert</i> motions.   | 08/15/2019 |
| Responses to <i>Daubert</i> motions.  | 08/29/2019 |
| Reply to response to <i>Daubert</i> motions.  | 09/05/2019 |

1. **Completion Date.** The last date to complete depositions shall be the "discovery completion date" by which all discovery shall be completed.

# 2. Limitations on Interrogatories, Requests for Admissions and **Depositions**. The following limitations apply:

a. Each defendant<sup>5</sup> is limited to 10 interrogatories, 10 requests for production of documents and 10 requests for admission per case.

<sup>&</sup>lt;sup>2</sup> The court reminds plaintiffs who have named additional MDL defendants other than the AMS defendants to serve a defendant-specific Plaintiff Fact Sheet as required in that particular defendant's MDL.

<sup>&</sup>lt;sup>3</sup> Where plaintiffs have named multiple defendants (i.e., C. R. Bard, Inc., and Ethicon, Inc., Boston Scientific Corp., etc.), each defendant must serve a Defendant Fact Sheet using the form agreed to in that defendant's MDL.

<sup>&</sup>lt;sup>4</sup> Paragraph 3.a. of this order states the "the plaintiffs and each defendant are limited to no more than five (5) experts per case (exclusive of treating physicians)."

<sup>&</sup>lt;sup>5</sup> In referring to the "defendant" or "defendants" throughout this order, it is my intention that a defendant(s) includes the defendant and its related entities, i.e., Ethicon, Inc. and Johnson & Johnson are related entities and treated as one defendant for purposes of these discovery limitations. Likewise, if more than one plaintiff is named, plaintiffs are treated as one entity for purposes of these discovery limitations.

- b. Plaintiffs are limited to 10 interrogatories, 10 requests for production of documents and 10 requests for admission to each defendant.
- c. In each individual member case, no more than 4 treating physicians may be deposed.<sup>6</sup>
- d. Depositions of plaintiff's friends and family members may be taken at any time prior to trial provided the deposition is requested before the discovery completion date.
- e. The Deposition of any witness is limited to 3 hours absent agreement of the parties.
- f. The court will consider modifications to the above limitations only upon good cause shown.
- 3. **Limitations on Experts.** The following limitations related to experts apply:
  - a. The parties may conduct general and specific expert discovery on all products at issue in this Wave. In light of the 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, the plaintiffs and each defendant are limited to no more than five experts per case (exclusive of treating physicians).
  - b. The parties shall coordinate the depositions of general causation experts.
    Insofar as multiple plaintiffs or multiple defendants use the same general causation expert or experts or general causation rebuttal experts, those experts

<sup>&</sup>lt;sup>6</sup> To the extent disputes arise regarding the division of time between the parties for the deposition of treating physicians (three hours total absent agreement), I will address those disputes, rather than the assigned Magistrate Judge, Judge Eifert.

- shall be deposed only once on the issue of general causation. As to defendants' experts, plaintiffs are instructed to choose a lead questioner.
- c. The court encourages the coordination of depositions of specific causation experts to the extent there is overlap in the parties' use of specific causation experts by multiple parties.
- d. The court will consider modifications to the above limitations only upon good cause shown.

## 4. Transferring to another MDL, requesting removal from the Wave and extensions of deadlines.

- a. Transfer of any case from this wave to any other MDL, whether by ruling upon a motion from plaintiff or defendants or sua sponte by the court, does not relieve the plaintiff or any remaining defendant(s) from the deadlines of this Docket Control Order.
- b. If an Amended Short Form Complaint properly filed pursuant to Federal Rules of Civil Procedure 15(a), names a new party, then any party may move for an extension to the Docket Control Order.

#### **B.** MOTION PRACTICE.

1. **Daubert Motions.** For the filing of *Daubert* motions on general causation issues only, the parties are instructed to file one *Daubert* motion per expert in the main MDL (MDL 2325) instead of the individual member case. <sup>7</sup> Each side may file one response and one reply in the main MDL to each *Daubert* motion. This limitation does

<sup>&</sup>lt;sup>7</sup> If parties wish to adopt previous *Daubert* motions on general causation experts from other MDLs, they may file a notice of adoption with a copy of the previous filing (if necessary) they wish to adopt in the main MDL 2325.

not apply to specific causation *Daubert* motions, responses and replies. Specific causation *Daubert* motions, responses and replies must be filed in the individual member cases. To the extent a challenged expert is both a general and specific causation expert, the parties must file a general causation motion in the main MDL 2325 and an individual specific causation motion in an individual member case.

- 2. **Page Limitations.** The page limitations provided in Local Rule of Civil Procedure 7.1(a)(2) apply to memoranda in support of all dispositive and *Daubert* motions, oppositions and replies. The court will not consider pleadings that exceed these limitations.
- 3. Confidential Documents. 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. The court will no longer permit this practice. Parties may no longer file placeholder exhibits. The court expects leadership counsel for plaintiffs and defendants to resolve issues related to confidential designations well before the filing of motions. 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 June 27, 2019, and any response is due by July 11, 2019. Any reply is due by June 18, 2019. The court expects full compliance with Local Rule of Civil Procedure 26.4(c).
- 4. Locations of Filings. With the exception of the general causation Daubert motions as outlined above, the parties are reminded that they must file

dispositive and *Daubert* motions on specific causation, responses and replies in the applicable member cases only, not in the AMS MDL.

#### C. CASES READY FOR TRANSFER, REMAND OR TRIAL

- 1. **Venue Recommendations.** By no later than **July 8, 2019**, the parties shall meet and confer concerning the appropriate venue for each of the cases, and the parties are **ORDERED** to submit joint venue recommendations to the court by **July 15, 2019**. The parties' joint recommendation(s) shall identify cases where venue is in dispute. The court may then request briefing.
- 2. **Transfer and Remand.** The court, pursuant to PTO # 17 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 # 17 and 28 U.S.C. § 1407, cases that were transferred to this court by the MDL Panel shall be remanded for further proceedings to the federal district court from which each such case was initially transferred.<sup>8</sup>
- 3. **Trial Settings.** 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 when discovery is completed and the court rules on the parties' summary judgment motions. 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 intercircuit assignment).

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<sup>&</sup>lt;sup>8</sup> As expressly contemplated by PTO # 17, AMS does not waive its right to seek transfer–pursuant to 28 U.S.C. § 1406(a) or any other available ground–of any case to a court of proper venue, regardless of whether that case was transferred to or directly-filed in the Southern District of West Virginia. I entered identical PTOs in the remaining MDLs assigned to me.

D. COMMON BENEFIT TIME. I have entered a number of Pretrial Orders related to the eventual recovery of the cost of special services performed and expenses incurred by participating counsel in this and the other MDLs assigned to me. I direct the parties' attention to PTO # 20<sup>9</sup>, and its warning that "[n]o time spent on developing or processing purely individual issues in any case for an individual client (claimant) will be considered or should be submitted, nor will time spent on any unauthorized work." Pretrial Order No. 20, ECF No. 303, ¶ C. The court is of the opinion it is highly unlikely that any work performed by counsel on individual wave cases will be considered common benefit work.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2325 **and in the AMS Wave 5 cases identified on Exhibits A and B**. 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 <a href="https://www.wvsd.uscourts.gov">www.wvsd.uscourts.gov</a>.

ENTER: February 4, 2019

JOSEPH R. GOODWIN

UNITED STATES DISTRICT JUDGE

<sup>&</sup>lt;sup>9</sup> I entered identical PTOs in the remaining MDLs assigned to me.

|    | Civil Action No. | Case Style  |
|----|------------------|---|
| 1  | 2:12-cv-00450    | Painter et al v. American Medical Systems, Inc.         |
| 2  | 2:12-cv-00550    | Jacobs et al v. American Medical Systems, Inc.          |
| 3  | 2:12-cv-01054    | Triant et al v. American Medical Systems Incorporated   |
| 4  | 2:12-cv-01503    | Cantwell v. American Medical Systems, Inc.              |
| 5  | 2:12-cv-01574    | Hunsicker et al v. American Medical Systems, Inc. et al |
| 6  | 2:12-cv-01583    | Pedroza v. American Medical Systems, Inc. et al         |
| 7  | 2:12-cv-02017    | Michalik et al v. American Medical Systems, Inc. et al  |
| 8  | 2:12-cv-04148    | Burlton et al v. American Medical Systems, Inc.         |
| 9  | 2:12-cv-04733    | Segrest v. American Medical Systems, Inc. et al         |
| 10 | 2:12-cv-05378    | Callaghan v. American Medical Systems, Inc.             |
| 11 | 2:12-cv-06051    | Hoffman et al v. American Medical Systems, Inc.         |
| 12 | 2:12-cv-06731    | Tripp et al v. American Medical Systems, Inc. et al     |
| 13 | 2:12-cv-07589    | Beal et al v. American Medical Systems, Inc. et al      |
| 14 | 2:12-cv-07592    | Mills et al v. American Medical Systems, Inc. et al     |
| 15 | 2:12-cv-07593    | Cerelli et al v. American Medical Systems, Inc. et al   |
| 16 | 2:12-cv-07595    | Moore-Warren v. American Medical Systems, Inc. et al    |
| 17 | 2:12-cv-07600    | Bailey et al v. American Medical Systems, Inc.          |
| 18 | 2:12-cv-07690    | Rowland et al v. American Medical Systems, Inc. et al   |
| 19 | 2:12-cv-08205    | Wood et al v. American Medical Systems, Inc. et al      |
| 20 | 2:12-cv-08426    | Musaus v. American Medical Systems, Inc. et al          |
| 21 | 2:12-cv-09031    | Hatchel v. American Medical Systems, Inc. et al         |
| 22 | 2:12-cv-09085    | Hemphill et al v. American Medical Systems, Inc.        |
| 23 | 2:12-cv-09087    | Heidinger et al v. American Medical Systems, Inc.       |
| 24 | 2:12-cv-09088    | Back et al v. American Medical Systems, Inc.            |
| 25 | 2:12-cv-09147    | Belk et al v. American Medical Systems, Inc. et al      |
| 26 | 2:12-cv-09667    | Potter v. American Medical Systems, Inc.                |
| 27 | 2:12-cv-09690    | Gordon v. American Medical Systems, Inc.                |
| 28 | 2:12-cv-09862    | Moore v. American Medical Systems, Inc. et al           |
| 29 | 2:13-cv-00078    | Parsons et al v. American Medical Systems, Inc. et al   |
| 30 | 2:13-cv-00240    | Trojan et al v. American Medical Systems, Inc. et al    |
| 31 | 2:13-cv-00886    | Hunnicutt v. American Medical Systems, Inc. et al       |
| 32 | 2:13-cv-01034    | Haun et al v. American Medical Systems, Inc.            |
| 33 | 2:13-cv-01157    | Deltenre et al v. American Medical Systems, Inc. et al  |
| 34 | 2:13-cv-01163    | Cameron et al v. American Medical Systems, Inc.         |
| 35 | 2:13-cv-01836    | Beamon et al v. American Medical Systems, Inc. et al    |
| 36 | 2:13-cv-02429    | McCall v. American Medical Systems, Inc.                |
| 37 | 2:13-cv-02527    | Stack et al v. American Medical Systems, Inc. et al     |
| 38 | 2:13-cv-03158    | Turner v. American Medical Systems, Inc. et al          |
| 39 | 2:13-cv-03451    | Rodriguez v. American Medical Systems, Inc.             |
| 40 | 2:13-cv-04398    | Harris et al v. American Medical Systems, Inc.          |
| 41 | 2:13-cv-04400    | Ward v. American Medical Systems, Inc. et al            |
| 42 | 2:13-cv-04404    | Hoeffner v. American Medical Systems, Inc.              |
| 43 | 2:13-cv-04406    | Zarate v. American Medical Systems, Inc.                |

|    | Civil Action No. | Case Style   |
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| 44 | 2:13-cv-04413    | Medellin et al v. American Medical Systems, Inc.       |
| 45 | 2:13-cv-05731    | Charles v. American Medical Systems, Inc.              |
| 46 | 2:13-cv-05732    | Clark et al v. American Medical Systems, Inc.          |
| 47 | 2:13-cv-06133    | Bell et al v. American Medical Systems, Inc.           |
| 48 | 2:13-cv-07776    | Lockridge v. American Medical Systems, Inc. et al      |
| 49 | 2:13-cv-07903    | Perry et al v. American Medical Systems, Inc.          |
| 50 | 2:13-cv-08728    | Nimmo et al v. American Medical Systems, Inc.          |
| 51 | 2:13-cv-09176    | Lamaack v. American Medical Systems, Inc.              |
| 52 | 2:13-cv-10205    | Thorp v. American Medical Systems, Inc.                |
| 53 | 2:13-cv-11045    | Davis v. American Medical Systems, Inc.                |
| 54 | 2:13-cv-11624    | Macumber et al v. American Medical Systems, Inc.       |
| 55 | 2:13-cv-11893    | Roberson et al v. American Medical Systems, Inc.       |
| 56 | 2:13-cv-12197    | Aguirre et al v. American Medical Systems, Inc.        |
| 57 | 2:13-cv-12208    | Willms v. American Medical Systems, Inc.               |
| 58 | 2:13-cv-12610    | Wettering et al v. American Medical Systems, Inc.      |
| 59 | 2:13-cv-12676    | Harlan v. American Medical Systems, Inc.               |
| 60 | 2:13-cv-12683    | Martinez v. American Medical Systems, Inc.             |
| 61 | 2:13-cv-12684    | Pryor v. American Medical Systems, Inc.                |
| 62 | 2:13-cv-12685    | Bolton et al v. American Medical Systems, Inc.         |
| 63 | 2:13-cv-13000    | Watts et al v. American Medical Systems, Inc.          |
| 64 | 2:13-cv-13002    | Wells v. American Medical Systems, Inc.                |
| 65 | 2:13-cv-13004    | Bunn et al v. American Medical Systems, Inc.           |
| 66 | 2:13-cv-13281    | Long et al v. American Medical Systems, Inc.           |
| 67 | 2:13-cv-13941    | Morris et al v. American Medical Systems, Inc.         |
| 68 | 2:13-cv-13944    | Roos et al v. American Medical Systems, Inc.           |
| 69 | 2:13-cv-14039    | Ojeda-Dellutri et al v. American Medical Systems, Inc. |
| 70 | 2:13-cv-14195    | Lawson et al v. American Medical Systems, Inc.         |
| 71 | 2:13-cv-14221    | Monticello v. American Medical Systems, Inc.           |
| 72 | 2:13-cv-14469    | Stevens et al v. American Medical Systems, Inc.        |
| 73 | 2:13-cv-15050    | Schibilia et al v. American Medical Systems, Inc.      |
| 74 | 2:13-cv-15877    | Morgan v. American Medical Systems, Inc. et al         |
| 75 | 2:13-cv-16012    | Mills-White et al v. American Medical Systems, Inc.    |
| 76 | 2:13-cv-16500    | Pitchlyn-Boone et al v. American Medical Systems, Inc. |
| 77 | 2:13-cv-17100    | Brzazowsky et al v. American Medical Systems, Inc.     |
| 78 | 2:13-cv-17204    | Contestabile et al v. American Medical Systems, Inc.   |
| 79 | 2:13-cv-18545    | Palazzo et al v. American Medical Systems, Inc.        |
| 80 | 2:13-cv-19764    | O'Connor v. American Medical Systems, Inc.             |
| 81 | 2:13-cv-20436    | Zamorano v. American Medical Systems, Inc.             |
| 82 | 2:13-cv-20525    | Packett et al v. American Medical Systems, Inc.        |
| 83 | 2:13-cv-20608    | Reeves v. American Medical Systems, Inc.               |
| 84 | 2:13-cv-20833    | Khuri v. American Medical Systems, Inc.                |
| 85 | 2:13-cv-21465    | Turick et al v. American Medical Systems, Inc.         |
| 86 | 2:13-cv-21517    | Green v. American Medical Systems, Inc.                |

|     | Civil Action No. | Case Style  |
|-----|------------------|---|
| 87  | 2:13-cv-22429    | Wright v. American Medical Systems, Inc.              |
| 88  | 2:13-cv-22430    | Mott et al v. American Medical Systems, Inc.          |
| 89  | 2:13-cv-23072    | Berryhill et al v. American Medical Systems, Inc.     |
| 90  | 2:13-cv-23139    | Harkness et al v. American Medical Systems, Inc.      |
| 91  | 2:13-cv-23157    | Natali v. American Medical Systems, Inc.              |
| 92  | 2:13-cv-23426    | Wright et al v. American Medical Systems, Inc.        |
| 93  | 2:13-cv-23932    | Engelke v. American Medical Systems, Inc.             |
| 94  | 2:13-cv-23935    | Hajjar et al v. American Medical Systems, Inc.        |
| 95  | 2:13-cv-25132    | Barnette et al v. American Medical Systems, Inc.      |
| 96  | 2:13-cv-25807    | Callaway et al v. American Medical Systems, Inc.      |
| 97  | 2:13-cv-25808    | Marquez v. American Medical Systems, Inc.             |
| 98  | 2:13-cv-26405    | Lloyd v. American Medical Systems, Inc.               |
| 99  | 2:13-cv-27285    | Thorvaldson et al v. American Medical Systems, Inc.   |
| 100 | 2:13-cv-29397    | Covarrubias et al v. American Medical Systems, Inc.   |
| 101 | 2:13-cv-29849    | Oglesby et al v. American Medical Systems, Inc.       |
| 102 | 2:13-cv-30381    | Blair v. American Medical Systems, Inc.               |
| 103 | 2:13-cv-30482    | Schulte et al v. American Medical Systems, Inc. et al |
| 104 | 2:13-cv-32693    | Ray v. American Medical Systems, Inc.                 |
| 105 | 2:13-cv-32798    | Brinkley v. American Medical Systems, Inc.            |
| 106 | 2:14-cv-00331    | Hankins-Rhyne v. American Medical Systems, Inc.       |
| 107 | 2:14-cv-02105    | Sumberlin et al v. American Medical Systems, Inc.     |
| 108 | 2:14-cv-07764    | Galindo et al v. American Medical Systems, Inc.       |
| 109 | 2:14-cv-09732    | Tomlinson et al v. American Medical Systems, Inc.     |
| 110 | 2:14-cv-10379    | Hammonds v. American Medical Systems, Inc.            |
| 111 | 2:14-cv-10986    | Carter v. American Medical Systems, Inc.              |
| 112 | 2:14-cv-11610    | Wilkerson et al v. American Medical Systems, Inc.     |
| 113 | 2:14-cv-11870    | Elliott v. American Medical Systems, Inc.             |
| 114 | 2:14-cv-13480    | Church et al v. American Medical Systems, Inc.        |
| 115 | 2:14-cv-14560    | Gould et al v. American Medical Systems, Inc.         |
| 116 | 2:14-cv-14918    | Mulvehill v. American Medical Systems, Inc.           |
| 117 | 2:14-cv-15428    | Delgado et al v. American Medical Systems, Inc.       |
| 118 | 2:14-cv-16276    | McLaughlin v. American Medical Systems, Inc.          |
| 119 | 2:14-cv-17407    | Lemasters et al v. American Medical Systems, Inc.     |
| 120 | 2:14-cv-18934    | Fox et al v. American Medical Systems, Inc.           |
| 121 | 2:14-cv-19753    | Boling et al v. American Medical Systems, Inc.        |
| 122 | 2:14-cv-20095    | Aman v. American Medical Systems, Inc.                |
| 123 | 2:14-cv-22290    | Murphy et al v. American Medical Systems, Inc.        |
| 124 | 2:14-cv-23612    | Miles v. American Medical Systems, Inc.               |
| 125 | 2:14-cv-23614    | Johnson v. American Medical Systems, Inc.             |
| 126 | 2:14-cv-23870    | Maestas et al v. American Medical Systems, Inc.       |
| 127 | 2:14-cv-24930    | Lassan v. American Medical Systems, Inc.              |
| 128 | 2:14-cv-27003    | Ringstaff et al v. American Medical Systems, Inc.     |
| 129 | 2:14-cv-27303    | Escobedo v. American Medical Systems, Inc.            |

|     | Civil Action No. | Case Style   |
|-----|------------------|--|
| 130 | 2:14-cv-27693    | Armstrong v. American Medical Systems, Inc.        |
| 131 | 2:14-cv-27730    | Edman et al v. American Medical Systems, Inc.      |
| 132 | 2:14-cv-27884    | Rogerson et al v. American Medical Systems, Inc.   |
| 133 | 2:14-cv-28016    | Lovejoy et al v. American Medical Systems, Inc.    |
| 134 | 2:14-cv-28028    | Fryman et al v. American Medical Systems, Inc.     |
| 135 | 2:14-cv-28043    | Servin v. American Medical Systems, Inc.           |
| 136 | 2:14-cv-28142    | Greenier v. American Medical Systems, Inc.         |
| 137 | 2:14-cv-28435    | Williams et al v. American Medical Systems, Inc.   |
| 138 | 2:14-cv-28437    | Dolby v. American Medical Systems, Inc.            |
| 139 | 2:14-cv-28442    | Douglas et al v. American Medical Systems, Inc.    |
| 140 | 2:14-cv-28445    | Jewell v. American Medical Systems, Inc.           |
| 141 | 2:14-cv-28447    | Johnson v. American Medical Systems, Inc.          |
| 142 | 2:14-cv-28664    | Gates et al v. American Medical Systems, Inc.      |
| 143 | 2:14-cv-28665    | Geeter v. American Medical Systems, Inc.           |
| 144 | 2:14-cv-28667    | Buzzell et al v. American Medical Systems, Inc.    |
| 145 | 2:14-cv-28673    | Lowery v. American Medical Systems, Inc.           |
| 146 | 2:14-cv-28678    | Trent v. American Medical Systems, Inc.            |
| 147 | 2:14-cv-28681    | Carr et al v. American Medical Systems, Inc.       |
| 148 | 2:14-cv-28683    | Mills et al v. American Medical Systems, Inc.      |
| 149 | 2:14-cv-28685    | Mims v. American Medical Systems, Inc.             |
| 150 | 2:14-cv-28755    | Flake v. American Medical Systems, Inc.            |
| 151 | 2:14-cv-28761    | Valentine v. American Medical Systems, Inc.        |
| 152 | 2:14-cv-28764    | Van Hoogen et al v. American Medical Systems, Inc. |
| 153 | 2:14-cv-28766    | Prince v. American Medical Systems, Inc.           |
| 154 | 2:14-cv-28767    | Groves v. American Medical Systems, Inc.           |
| 155 | 2:14-cv-28770    | Bousman v. American Medical Systems, Inc.          |
| 156 | 2:14-cv-28774    | Brown et al v. American Medical Systems, Inc.      |
| 157 | 2:14-cv-28775    | Carlo et al v. American Medical Systems, Inc.      |
| 158 | 2:14-cv-28927    | Crockett et al v. American Medical Systems, Inc.   |
| 159 | 2:14-cv-29023    | Valdez et al v. American Medical Systems, Inc.     |
| 160 | 2:14-cv-29028    | Rubenstahl v. American Medical Systems, Inc.       |
| 161 | 2:14-cv-29031    | Holley et al v. American Medical Systems, Inc.     |
| 162 | 2:14-cv-29035    | Robbins et al v. American Medical Systems, Inc.    |
| 163 | 2:14-cv-29097    | Hudson v. American Medical Systems, Inc.           |
| 164 | 2:14-cv-29104    | Campbell et al v. American Medical Systems, Inc.   |
| 165 | 2:14-cv-29111    | Walker et al v. American Medical Systems, Inc.     |
| 166 | 2:14-cv-29164    | Willis et al v. American Medical Systems, Inc.     |
| 167 | 2:14-cv-29226    | Hill v. American Medical Systems, Inc.             |
| 168 | 2:14-cv-29229    | Puttman et al v. American Medical Systems, Inc.    |
| 169 | 2:14-cv-29434    | Poole et al v. American Medical Systems, Inc.      |
| 170 | 2:14-cv-29439    | Kinsey et al v. American Medical Systems, Inc.     |
| 171 | 2:14-cv-29443    | Wright et al v. American Medical Systems, Inc.     |
| 172 | 2:14-cv-29560    | Michelsen et al v. American Medical Systems, Inc.  |

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| 173 | 2:14-cv-29632    | Collins v. American Medical Systems, Inc.             |
| 174 | 2:14-cv-30314    | Ogle et al v. American Medical Systems, Inc.          |
| 175 | 2:14-cv-30378    | Deen v. American Medical Systems, Inc.                |
| 176 | 2:14-cv-30384    | Hill et al v. American Medical Systems, Inc.          |
| 177 | 2:14-cv-30556    | Reyes v. American Medical Systems, Inc.               |
| 178 | 2:14-cv-30558    | Backstrom v. American Medical Systems, Inc.           |
| 179 | 2:14-cv-30562    | Wilson v. American Medical Systems, Inc.              |
| 180 | 2:14-cv-30568    | Short et al v. American Medical Systems, Inc.         |
| 181 | 2:14-cv-30572    | Hayward et al v. American Medical Systems, Inc.       |
| 182 | 2:14-cv-30578    | Elkins v. American Medical Systems, Inc.              |
| 183 | 2:14-cv-30580    | Casias et al v. American Medical Systems, Inc.        |
| 184 | 2:14-cv-30770    | Jacks et al v. American Medical Systems, Inc.         |
| 185 | 2:14-cv-30771    | Justice v. American Medical Systems, Inc.             |
| 186 | 2:14-cv-30773    | Brannon v. American Medical Systems, Inc.             |
| 187 | 2:14-cv-30776    | Williams v. American Medical Systems, Inc.            |
| 188 | 2:14-cv-30802    | Smith v. American Medical Systems, Inc.               |
| 189 | 2:14-cv-30965    | Connolly v. American Medical Systems, Inc.            |
| 190 | 2:14-cv-31256    | McQuillan et al v. American Medical Systems, Inc.     |
| 191 | 2:15-cv-00019    | Crane-Zavala v. American Medical Systems, Inc.        |
| 192 | 2:15-cv-00377    | Hawkins-Smith et al v. American Medical Systems, Inc. |
| 193 | 2:15-cv-00379    | Erchak et al v. American Medical Systems, Inc.        |
| 194 | 2:15-cv-00519    | Walker et al v. American Medical Systems, Inc.        |
| 195 | 2:15-cv-00520    | Powell et al v. American Medical Systems, Inc.        |
| 196 | 2:15-cv-00521    | McCoy et al v. American Medical Systems, Inc.         |
| 197 | 2:15-cv-00653    | Jacobs v. American Medical Systems, Inc.              |
| 198 | 2:15-cv-00808    | LaCounte v. American Medical Systems, Inc.            |
| 199 | 2:15-cv-00811    | Geer et al v. American Medical Systems, Inc.          |
| 200 | 2:15-cv-00815    | Espeland v. American Medical Systems, Inc.            |
| 201 | 2:15-cv-01219    | De Leon et al v. American Medical Systems, Inc.       |
| 202 | 2:15-cv-01220    | Jenkins v. American Medical Systems, Inc.             |
| 203 | 2:15-cv-01492    | Vidal et al v. American Medical Systems, Inc.         |
| 204 | 2:15-cv-01494    | Breault et al v. American Medical Systems, Inc.       |
| 205 | 2:15-cv-01495    | Marks et al v. American Medical Systems, Inc.         |
| 206 | 2:15-cv-01556    | Earley et al v. American Medical Systems, Inc.        |
| 207 | 2:15-cv-01560    | Cruz et al v. American Medical Systems, Inc.          |
| 208 | 2:15-cv-01593    | Jamison v. American Medical Systems, Inc.             |
| 209 | 2:15-cv-01854    | Stoneman et al v. American Medical Systems, Inc.      |
| 210 | 2:15-cv-02228    | Shepard v. American Medical Systems, Inc.             |
| 211 | 2:15-cv-02562    | Ashworth v. American Medical Systems, Inc.            |
| 212 | 2:15-cv-04027    | Underwood v. American Medical Systems, Inc.           |
| 213 | 2:15-cv-04292    | Cole v. American Medical Systems, Inc.                |
| 214 | 2:15-cv-04965    | Guenther et al v. American Medical Systems, Inc.      |
| 215 | 2:15-cv-05247    | Carvajal v. American Medical Systems, Inc.            |

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| 216 | 2:15-cv-05497    | O'Neal v. American Medical Systems, Inc.             |
| 217 | 2:15-cv-06595    | Haskell v. American Medical Stystems, Inc.           |
| 218 | 2:15-cv-11099    | Cladek et al v. American Medical Systems, Inc.       |
| 219 | 2:15-cv-11106    | Copeland et al v. American Medical Systems, Inc.     |
| 220 | 2:15-cv-11478    | Aragon v. American Medical Systems, Inc.             |
| 221 | 2:15-cv-11739    | Cramer et al v. American Medical Systems, Inc.       |
| 222 | 2:15-cv-11743    | Geraci et al v. American Medical Systems, Inc.       |
| 223 | 2:15-cv-11943    | Napier v. American Medical Systems, Inc.             |
| 224 | 2:15-cv-12071    | Stephenson et al v. American Medical Systems, Inc.   |
| 225 | 2:15-cv-12599    | Nielsen et al v. American Medical Systems, Inc.      |
| 226 | 2:15-cv-12635    | Carwile et al v. American Medical Systems, Inc.      |
| 227 | 2:15-cv-13063    | Gough v. American Medical Systems, Inc.              |
| 228 | 2:15-cv-13068    | Michaelis v. American Medical Systems, Inc.          |
| 229 | 2:15-cv-13171    | Klein et al v. American Medical Systems, Inc.        |
| 230 | 2:15-cv-13172    | Phillips et al v. American Medical Systems, Inc.     |
| 231 | 2:15-cv-13482    | Borg v. American Medical Systems, Inc.               |
| 232 | 2:15-cv-13621    | Chapman et al v. American Medical Systems, Inc.      |
| 233 | 2:15-cv-14242    | Modica et al v. American Medical Systems, Inc. et al |
| 234 | 2:15-cv-14276    | Crawford v. American Medical Systems, Inc.           |
| 235 | 2:15-cv-14338    | Miderski v. American Medical Systems, Inc.           |
| 236 | 2:15-cv-14341    | Groves et al v. American Medical Systems, Inc.       |
| 237 | 2:15-cv-14355    | Nowacki et al v. American Medical Systems, Inc.      |
| 238 | 2:15-cv-14403    | Shill v. American Medical Systems, Inc.              |
| 239 | 2:15-cv-14405    | Wright et al v. American Medical Systems, Inc.       |
| 240 | 2:15-cv-14406    | Aversa et al v. American Medical Systems, Inc.       |
| 241 | 2:15-cv-14411    | Boeck v. American Medical Systems, Inc.              |
| 242 | 2:15-cv-14776    | Flecther et al v. American Medical Systems, Inc.     |
| 243 | 2:15-cv-15882    | Burnworth et al v. American Medical Systems, Inc.    |
| 244 | 2:15-cv-16073    | Langlois et al v. American Medical Systems, Inc.     |
| 245 | 2:15-cv-16332    | White et al v. American Medical Systems, Inc.        |
| 246 | 2:15-cv-16358    | Carlyle v. American Medical Systems, Inc.            |
| 247 | 2:15-cv-16359    | Hernandez v. American Medical Systems, Inc.          |
| 248 | 2:15-cv-16368    | Munoz et al v. American Medical Systems, Inc.        |
| 249 | 2:15-cv-16477    | Stone v. American Medical Systems, Inc.              |
| 250 | 2:15-cv-16484    | Castillo v. American Medical Systems, Inc.           |
| 251 | 2:16-cv-00196    | Perreault v. American Medical Systems, Inc.          |
| 252 | 2:16-cv-00197    | Chapin v. American Medical Systems, Inc.             |
| 253 | 2:16-cv-00234    | Gallimore v. American Medical Systems, Inc.          |
| 254 | 2:16-cv-00239    | Martin v. American Medical Systems, Inc.             |
| 255 | 2:16-cv-00683    | Kramer v. American Medical Systems, Inc.             |
| 256 | 2:16-cv-01942    | Martin et al v. American Medical Systems, Inc.       |
| 257 | 2:16-cv-01943    | Bergstrom v. American Medical Systems, Inc.          |
| 258 | 2:16-cv-01944    | Hendricks et al v. American Medical Systems, Inc.    |

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| 259 | 2:16-cv-02035    | Orlean et al v. American Medical Systems, Inc.     |
| 260 | 2:16-cv-02303    | Krug et al v. American Medical Systems, Inc.       |
| 261 | 2:16-cv-02528    | Bakerman v. American Medical Systems, Inc.         |
| 262 | 2:16-cv-02529    | Parkhurst v. American Medical Systems, Inc.        |
| 263 | 2:16-cv-02534    | Compton et al v. American Medical Systems, Inc.    |
| 264 | 2:16-cv-02537    | Rancourt et al v. American Medical Systems, Inc.   |
| 265 | 2:16-cv-02538    | McKeon v. American Medical Systems, Inc.           |
| 266 | 2:16-cv-02539    | Carver v. American Medical Systems, Inc.           |
| 267 | 2:16-cv-02542    | Hill et al v. American Medical Systems, Inc.       |
| 268 | 2:16-cv-02543    | Ford et al v. American Medical Systems, Inc.       |
| 269 | 2:16-cv-02720    | Altman et al v. American Medical Systems, Inc.     |
| 270 | 2:16-cv-02722    | Charnetzky et al v. American Medical Systems, Inc. |
| 271 | 2:16-cv-02723    | Bush v. American Medical Systems, Inc.             |
| 272 | 2:16-cv-02725    | Cyr et al v. American Medical Systems, Inc.        |
| 273 | 2:16-cv-02727    | Spears et al v. American Medical Systems, Inc.     |
| 274 | 2:16-cv-02729    | Sobolik et al v. American Medical Systems, Inc.    |
| 275 | 2:16-cv-02731    | Coale v. American Medical Systems, Inc.            |
| 276 | 2:16-cv-02732    | Felis et al v. American Medical Systems, Inc.      |
| 277 | 2:16-cv-02733    | Steffes et al v. American Medical Systems, Inc.    |
| 278 | 2:16-cv-02734    | Birchmeier v. American Medical Systems, Inc.       |
| 279 | 2:16-cv-02840    | Perez et al v. American Medical Systems, Inc.      |
| 280 | 2:16-cv-02873    | Williams et al v. American Medical Systems, Inc.   |
| 281 | 2:16-cv-02897    | Gomez et al v. American Medical Systems, Inc.      |
| 282 | 2:16-cv-03005    | Huggard v. American Medical Systems, Inc.          |
| 283 | 2:16-cv-03193    | Kohr v. American Medical Systems, Inc.             |
| 284 | 2:16-cv-03213    | Coley v. American Medical Systems, Inc.            |
| 285 | 2:16-cv-03619    | Nelson v. American Medical Systems, Inc.           |
| 286 | 2:16-cv-03658    | Garcia-Valadez v. American Medical Systems, Inc.   |
| 287 | 2:16-cv-03930    | Bartley v. American Medical Systems, Inc.          |
| 288 | 2:16-cv-04009    | Recla et al v. American Medical Systems, Inc.      |
| 289 | 2:16-cv-04011    | Gioioso et al v. American Medical Systems, Inc.    |
| 290 | 2:16-cv-04104    | Hopewell v. American Medical Systems, Inc.         |
| 291 | 2:16-cv-04219    | Barker et al v. American Medical Systems, Inc.     |
| 292 | 2:16-cv-04222    | Born v. American Medical Systems, Inc.             |
| 293 | 2:16-cv-04229    | Justensen v. American Medical Systems, Inc.        |
| 294 | 2:16-cv-04234    | Carlos et al v. American Medical Systems, Inc.     |
| 295 | 2:16-cv-04380    | Enzbrenner v. American Medical Systems, Inc.       |
| 296 | 2:16-cv-04453    | Beyer et al v. American Medical Systems, Inc.      |
| 297 | 2:16-cv-04464    | Blackburn et al v. American Medical Systems, Inc.  |
| 298 | 2:16-cv-04506    | Koch-Kious v. American Medical Systems, Inc.       |
| 299 | 2:16-cv-04745    | Dotson v. American Medical Systems, Inc.           |
| 300 | 2:16-cv-05043    | Woods et al v. American Medical Systems, Inc.      |
| 301 | 2:16-cv-05227    | Ramnarine v. American Medical Systems, Inc.        |

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| 302 | 2:16-cv-05229    | Rutter v. American Medical Systems, Inc.               |
| 303 | 2:16-cv-05313    | Garcia de Vega et al v. American Medical Systems, Inc. |
| 304 | 2:16-cv-05602    | Carter v. American Medical Systems, Inc.               |
| 305 | 2:16-cv-05847    | Kouba v. American Medical Systems, Inc.                |
| 306 | 2:16-cv-06429    | Barbosa et al v. American Medical Systems, Inc.        |
| 307 | 2:16-cv-06810    | Goodwine et al v. American Medical Systems, Inc.       |
| 308 | 2:16-cv-07028    | DeLeon v. American Medical Systems, Inc.               |
| 309 | 2:16-cv-07050    | Wilson et al v. American Medical Systems, Inc.         |
| 310 | 2:16-cv-07249    | Rogerson et al v. American Medical Systems, Inc.       |
| 311 | 2:16-cv-07570    | Melendez v. American Medical Systems, Inc.             |
| 312 | 2:16-cv-07903    | Dover v. American Medical Systems, Inc.                |
| 313 | 2:16-cv-10217    | Polomis et al v. American Medical Systems, Inc.        |
| 314 | 2:16-cv-12026    | Daus et al v. American Medical Systems, Inc.           |
| 315 | 2:16-cv-12134    | Abbt et al v. American Medical Systems, Inc.           |
| 316 | 2:16-cv-12426    | Garcia et al v. American Medical Systems, Inc.         |
| 317 | 2:17-cv-00115    | Kiff v. American Medical Systems, Inc.                 |
| 318 | 2:17-cv-00139    | Ellis v. American Medical Systems, Inc.                |
| 319 | 2:17-cv-00206    | Moore v. American Medical Systems, Inc.                |
| 320 | 2:17-cv-00226    | Putorek v. American Medical Systems, Inc.              |
| 321 | 2:17-cv-00238    | Aguilar v. American Medical Systems, Inc.              |
| 322 | 2:17-cv-00258    | Taylor v. American Medical Systems, Inc.               |
| 323 | 2:17-cv-00406    | Turner v. American Medical Systems, Inc.               |
| 324 | 2:17-cv-00438    | Lansing v. American Medical Systems, Inc.              |
| 325 | 2:17-cv-00478    | Grauman v. American Medical Systems, Inc.              |
| 326 | 2:17-cv-00484    | Trinidad v. American Medical Systems, Inc.             |
| 327 | 2:17-cv-01390    | Daniels v. American Medical Systems, Inc.              |
| 328 | 2:17-cv-01534    | Ratajczak et al v. American Medical Systems, Inc.      |
| 329 | 2:17-cv-01606    | Mathews v. American Medical Systems, Inc.              |
| 330 | 2:17-cv-01634    | Mizell v. American Medical Systems, Inc.               |
| 331 | 2:17-cv-01730    | Boasso v. American Medical Systems, Inc.               |
| 332 | 2:17-cv-01759    | Pelham v. American Medical Systems, Inc.               |
| 333 | 2:17-cv-01768    | Smith v. American Medical Systems, Inc.                |
| 334 | 2:17-cv-01790    | Lattanzi et al v. American Medical Systems, Inc.       |
| 335 | 2:17-cv-02353    | Smith v. American Medical Systems, Inc.                |
| 336 | 2:17-cv-02652    | Busby v. American Medical Systems, Inc.                |
| 337 | 2:17-cv-02653    | Arnold v. American Medical Systems, Inc.               |
| 338 | 2:17-cv-02654    | Pontillo v. American Medical Systems, Inc.             |
| 339 | 2:17-cv-02791    | Treece v. American Medical Systems, Inc.               |
| 340 | 2:17-cv-02887    | Holmes v. American Medical Systems, Inc.               |
| 341 | 2:17-cv-03060    | Butler v. American Medical Systems, Inc.               |
| 342 | 2:17-cv-03135    | Cole v. American Medical Systems, Inc.                 |
| 343 | 2:17-cv-04123    | Jones v. American Medical Systems, Inc. et al          |

## Exhibit B

| Civil Action No. | Case Name  |
|------------------|--|
| 2:13-cv-10893    | Hayworth et al v. American Medical Systems, Inc. |
| 2:18-cv-00309    | Salcido v. American Medical Systems, Inc. et al  |