

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

**CHARLESTON DIVISION**

IN RE: BOSTON SCIENTIFIC CORP.,  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL No. 2326

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THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 119**

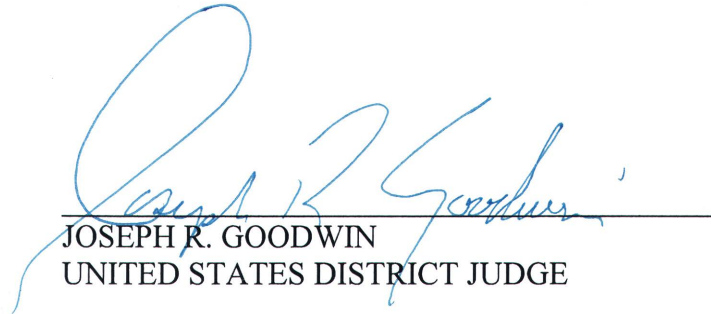
(Order re: Pending *Daubert* Motions filed in MDL)

Pending in the main MDL 2326 are nine *Daubert* motions filed by plaintiffs related to the Wave 1 and 2 cases. [Docket 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013 and 1015.] By PTO ##s 100, 108, and 116, the parties chose cases for “Wave 1” and “Wave 2” for purposes of conducting discovery and motion practice including the filing of *Daubert* and dispositive motions. The filing of motions in the main MDL as opposed to the individual cases chosen for Waves 1 and 2 is not appropriate. The court will only consider motions filed in the individual Wave 1 and Wave 2 cases as to each individual case. Accordingly, it is **ORDERED** that the *Daubert* motions filed at Docket 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013 and 1015 are **DENIED**.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2326 and **in the cases that have been designated by the parties as Wave 1 and Wave 2 cases**. In cases subsequently filed in this district after civil action number 2:15-cv-00931, 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](http://www.wvsd.uscourts.gov).

ENTER: January 23, 2015



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE