

**S 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 2326**

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THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 195  
(Docket Control Order – Ending the Inactive Docket)**

The court has previously permitted the placement of cases on an inactive docket for a defined (and originally brief) period of time where the parties represented to the court that the cases had settled or entered into a settlement model. When it began, the inactive docket was intended as a short stop over for cases that had settled and simply needed additional time to wrap up settlement details in this massive litigation. Unfortunately, at present, several thousand cases remain on the inactive docket and have resided there for much longer than intended. Some cases on the inactive docket have resided there since as early as 2015.

For reasons appearing to the court, the court **ORDERS** as follows:

- (1) **Beginning November 1, 2018**, the inactive docket will no longer be an available tool for the parties. The court will no longer accept cases onto the inactive docket on or after November 1, 2018. Any proposed inactive docket orders filed on or after November 1, 2018 will be stricken.
- (2) Cases that were placed on the inactive docket **on or before July 1, 2017**, and that remain on the inactive docket as of October 31, 2018, will be returned to the active

docket and placed on a shortened scheduling order. A Pretrial Order accomplishing this will be entered on **October 31, 2018**.

- (3) Cases that were placed on the inactive docket from **July 2, 2017, through December 31, 2017**, must be dismissed on or before **January 30, 2019**. Any cases from this group that remain on the inactive docket on January 31, 2019, will be returned to the active docket and placed on a shortened scheduling order.
- (4) Cases that were placed on the inactive docket from **January 1, 2018, through October 31, 2018**, must be dismissed on or before **April 29, 2019**. Any cases from this group that remain on the inactive docket on April 30, 2019, will be returned to the active docket and placed on a shortened scheduling order.
- (5) Notices of settlement may no longer be filed as a mechanism for relieving parties from complying with scheduling order deadlines. Only dismissals (motions to dismiss, joint motions to dismiss or stipulations of dismissal) will relieve parties from complying with any scheduling deadlines.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2326. 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).

ENTERED October 24, 2018

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE