

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

CHARLESTON DIVISION

IN RE: COLOPLAST CORP. PELVIC SUPPORT
SYSTEMS PRODUCTS LIABILITY LITIGATION

MDL 2387

THIS DOCUMENT RELATES TO COLOPLAST WAVES 5, 6, 7 AND 8

**PRETRIAL ORDER # 154
(Order re: Supplement to Coloplast Wave 5, 6, 7 and 8
Transfer and Remand Information)**

The court **ORDERS** that Pretrial Order (“PTO”) ##s 142 (Wave 5), 146 (Wave 6), 147 (Wave 7), and 150 (Wave 8) are **AMENDED**, but only as to paragraph C.1 and 2. All other provisions of each PTO listed above (including C.3) remain in place.

C. CASES READY FOR TRANSFER, REMAND OR TRIAL

1. Transfer and Remand.

- a. **Transfer Cases.** The court, pursuant to PTO # 10 and 28 U.S.C. § 1404(a), will transfer each directly-filed case (“Transfer Cases”) to a federal district court of proper venue as defined in 28 U.S.C. § 1391.
- b. **Remand Cases.** Pursuant to PTO # 10 and 28 U.S.C. § 1407, cases that were sent to this court by the MDL Panel (“Remand

Cases”) shall be remanded back to the federal district court from which each such case came for further proceedings.¹

2. Transfer Venue Recommendations for Direct Filed Transfer Cases/Identification of Remand Jurisdiction for Remand Cases from the Panel.

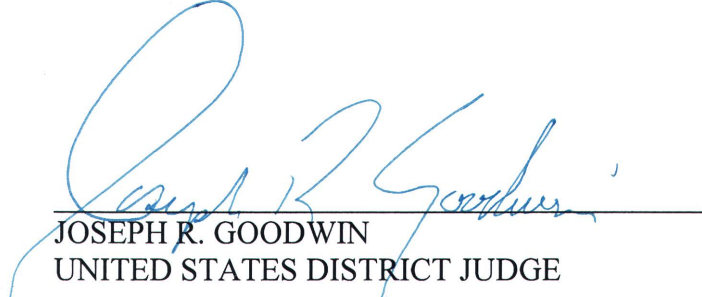
- a. **Transfer Cases.** By no later than **April 6, 2019**, the parties shall meet and confer concerning the appropriate venue for each of the Transfer Cases, and the parties are **ORDERED** to file a joint venue recommendations by **April 13, 2019**, indicating each transfer venue for direct filed Transfer Cases. The parties must identify for each Transfer Case: (1) the agreed venue or disputed venue; (2) plaintiff’s counsel of record; (3) plaintiff’s city and state of residence; and (4) state of plaintiff’s implant and any removal(s).
- b. **Remand Cases.** For Remand Cases received from the Panel, the parties are **ORDERED** to file a joint list identifying the remand jurisdictions to which each Remand Case must be returned as indicated on the court’s docket by **April 13, 2019**.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2387 **and in all Coloplast Wave 5-8 cases that remain open on the court’s docket including cases that**

¹ As expressly contemplated by PTO # 10, Coloplast 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.

have Coloplast Wave 5-8 flags but may reside in other MDLs. 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: March 13, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE