

**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 CASES IDENTIFIED ON
EXHIBITS A, B and C

PRETRIAL ORDER # 160
(ORDER AND SHOW CAUSE ORDER)

I. Exhibit A

The cases identified on Exhibit A reside in the Coloplast MDL and name Coloplast Corp., and/or Mentor Worldwide as defendants. Some of the cases on Exhibit A were directly filed in the Southern District of West Virginia and, if not dismissed in this court, will be transferred to a court of proper jurisdiction (hereinafter the “Transfer Cases”); while others must be remanded to the court from which they came (hereinafter the “Remand Cases”). The court **ORDERS** that the parties must identify each case as a Remand or Transfer Case and for the *Transfer Cases on Exhibit A*, the parties must identify venue information as follows: (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). For the *Remand Cases on Exhibit A*, the parties must identify (1) the jurisdiction to which the case must be returned as indicated on the court’s docket sheet; and (2) plaintiff’s counsel.

By no later than **June 6, 2019**, the parties shall meet and confer concerning the appropriate venue for each of the Transfer Cases and work to identify the remand jurisdiction for

the Remand Cases as indicated on the court's docket sheet, and the parties are **ORDERED** to file the above information by **June 13, 2019**. The court expects the parties to file one joint document containing the above information for Transfer and Remand Cases in the main MDL 2387. To that end, the court has provided a chart on Exhibit A that should be completed by the parties. The parties' representation that cases have been settled does not excuse compliance with the order in the cases remaining on the court's docket. **The submission of the information as directed by the court is essential to the planned remand or transfer of the remaining cases in this MDL.**

II. **Exhibit B – Show Cause**

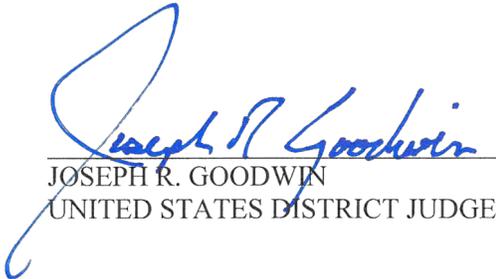
The court further observes that in the cases on Exhibit B attached hereto, the court had previously entered a scheduling docket control order related to all plaintiffs and *all* defendants in the case, regardless of MDL, yet it appears the scheduling docket control orders have not been followed by plaintiffs or the above defendants. Accordingly, the court **ORDERS** that *in each individual case on Exhibit B*, plaintiffs and Coloplast, Inc. or Mentor Worldwide (where named) **show cause** on or before **June 17, 2019**, why they should not be **sanctioned** for failing to comply with the court's scheduling orders pursuant to Rule 16(f) of the Federal Rules of Civil Procedure. The court will schedule a hearing at a later date.

III. **Exhibit C – Show Cause**

The cases on Exhibit C name Coloplast, Inc. and/or Mentor Worldwide, but the docket in each case does not indicate that these defendants have been served. The court **ORDERS** that on or before **June 17, 2019**, the plaintiff in each *individual case* must **show cause** why the case should not be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2387 and in the individual cases on Exhibits A, B and C. 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.wvsc.uscourts.gov.

ENTER: May 20, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A
PTO # 160

	MDL	Wave Flag	Civil Action No.	Case Style	Transfer/Remand Venue	Plaintiff's Counsel of Record	Plaintiff's City and State of Residence	State of Implant and any removal	Disputed Transfer Venue	location of info (Court use only)
1	2387	2187 WAVE 10	2:15-cv-04150	Brown v. Coloplast Corp.						
2	2387	2187 WAVE 7	2:17-cv-02519	Schlusser v. Coloplast Corp.						
3	2387	2187 WAVE 9	2:18-cv-00607	Dahms v. Coloplast Corp.						
4	2387	2325 WAVE 3	2:16-cv-02756	Roberts et al v. Coloplast Corp.						
5	2387	2325 WAVE 6	2:13-cv-19635	Lester et al v. Mentor Worldwide LLC et al						
6	2387	2325 WAVE 6	2:14-cv-13906	Boro et al v. Coloplast Corp.						
7	2387	2325 WAVE 6	2:15-cv-05425	Glessner et al v. Coloplast Corp.						
8	2387	2326 WAVE 4	2:12-cv-08136	Simpson v. Mentor Worldwide LLC et						
9	2387	2326 WAVE 4	2:13-cv-15026	Gezzi v. Mentor Worldwide LLC						
10	2387	2326 WAVE 4	2:13-cv-15754	Finley v. Coloplast Corp.						
11	2387	2326 WAVE 4	2:13-cv-23821	Biesterfeld et al v. Mentor Worldwide LLC et al						
12	2387	2326 WAVE 4	2:13-cv-27092	Morgan v. Coloplast Corp.						
13	2387	2326 WAVE 4	2:13-cv-30025	Holloway et al v. Mentor Worldwide LLC et al						
14	2387	2326 WAVE 4	2:14-cv-14368	Tidwell et al v. Coloplast Corp.						
15	2387	2326 WAVE 4	2:14-cv-22070	Beasley et al v. Mentor Worldwide LLC et al						
16	2387	2326 WAVE 4	2:14-cv-22394	Muse et al v. Mentor Worldwide LLC et al						
17	2387	2326 WAVE 4	2:16-cv-04789	Lagerquist et al v. Mentor Worldwide LLC et al						
18	2387	2326 WAVE 4	2:16-cv-04804	Page v. Mentor Worldwide LLC et al						
19	2387	2326 WAVE 4	2:16-cv-06479	Hendricks v. Mentor Worldwide LLC et al						
20	2387	2326 WAVE 4	2:17-cv-02506	Hardman v. Coloplast Corp.						
21	2387	2326 WAVE 5	2:14-cv-20534	Stein v. Coloplast Corp.						
22	2387	2326 WAVE 5	2:14-cv-21241	Boles et al v. Coloplast Corp.						
23	2387	2326 WAVE 5	2:18-cv-00246	Sloan v. Coloplast Corp.						
24	2387	2326 WAVE 7	2:13-cv-12721	Rodriguez v. Coloplast Corp.						
25	2387	2326 WAVE 7	2:13-cv-13721	Hampel v. Coloplast Corp.						
26	2387	2326 WAVE 7	2:13-cv-14401	Murphy et al v. Coloplast Corp.						
27	2387	2326 WAVE 7	2:13-cv-18695	Germain et al v. Coloplast Corp.						
28	2387	2326 WAVE 7	2:14-cv-14690	Roland v. Coloplast Corp. et al						
29	2387	2326 WAVE 7	2:14-cv-29699	Reynolds v. Coloplast Corp.						
30	2387	2326 WAVE 7	2:16-cv-04580	Pflaumer v. Coloplast Corp.						
31	2387	2327 WAVE 11	2:12-cv-07507	Buckler-Dollins et al v. Coloplast Corp.						
32	2387	2327 WAVE 11	2:12-cv-08250	McDaniel v. Coloplast Corp.						
33	2387	2327 WAVE 11	2:13-cv-02471	Kelleher v. Coloplast Corp.						

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34	2387	2327 WAVE 11	2:13-cv-02916	Scales v. Mentor Worldwide LLC et al						
35	2387	2327 WAVE 11	2:13-cv-07174	Berry et al v. Mentor Worldwide LLC et al						
36	2387	2327 WAVE 11	2:13-cv-13266	Matthews et al v. Coloplast Corp.						
37	2387	2327 WAVE 11	2:13-cv-13915	Meza et al v. Coloplast Corp.						
38	2387	2327 WAVE 11	2:13-cv-14533	Doherty v. Mentor Worldwide LLC et						
39	2387	2327 WAVE 11	2:13-cv-19065	Pate v. Mentor Worldwide LLC et al						
40	2387	2327 WAVE 11	2:13-cv-20034	Swarmer et al v. Mentor Worldwide LLC et al						
41	2387	2327 WAVE 11	2:13-cv-21348	Bell v. Coloplast Corp.						
42	2387	2327 WAVE 11	2:13-cv-24925	Williams v. Mentor Worldwide LLC et						
43	2387	2327 WAVE 11	2:13-cv-29112	Cummings et al v. Coloplast Corp.						
44	2387	2327 WAVE 11	2:14-cv-00828	Arnold v. Mentor Worldwide LLC et al						
45	2387	2327 WAVE 11	2:14-cv-16536	Freeman v. Coloplast Corp.						
46	2387	2327 WAVE 11	2:14-cv-18725	Parker et al v. Mentor Worldwide LLC et al						
47	2387	2327 WAVE 11	2:14-cv-20026	Serra v. Mentor Worldwide LLC et al						
48	2387	2327 WAVE 11	2:14-cv-22650	Lemm et al v. Mentor Worldwide LLC et al						
49	2387	2327 WAVE 11	2:14-cv-23104	Salaun v. Coloplast Corp.						
50	2387	2327 WAVE 11	2:14-cv-23543	Parker v. Mentor Worldwide LLC et al						
51	2387	2327 WAVE 11	2:14-cv-25952	Andrews et al v. Coloplast Corp.						
52	2387	2327 WAVE 11	2:15-cv-01755	Survilla et al v. Coloplast Corp.						
53	2387	2327 WAVE 11	2:15-cv-04851	King v. Coloplast Corp.						
54	2387	2327 WAVE 11	2:15-cv-13496	Smith et al v. Mentor Worldwide LLC						
55	2387	2327 WAVE 11	2:16-cv-02881	Doherty et al v. Coloplast Corp.						
56	2387	2327 WAVE 11	2:16-cv-03334	Roberts et al v. Coloplast Corp.						
57	2387	2327 WAVE 11	2:16-cv-03521	Foster v. Coloplast Corp.						
58	2387	2327 WAVE 11	2:16-cv-04767	Thorpe et al v. Coloplast Corp.						
59	2387	2327 WAVE 11	2:16-cv-07761	Conner et al v. Coloplast Corp.						
60	2387	2327 WAVE 11	2:18-cv-00608	Nunez v. Coloplast Corp.						
61	2387	2327 WAVE 8	2:13-cv-10172	Nellenbach v. Mentor Worldwide LLC et al	SD, Texas	TorHoerman Law; Wagstaff &	Woodlands, TX 77380	TX		Ethicon Sheet
62	2387	2327 WAVE 8	2:13-cv-19598	Niswonger v. Mentor Worldwide LLC	District of Minnesota, Minneapolis Division	Barton Law Firm	KY	KY		Ethicon Sheet
63	2387	2327 WAVE 8	2:13-cv-24445	Holliday v. Mentor Worldwide LLC	ND, Ohio	Ashcraft & Gerel	Springfield, OH 45505	OH		Ethicon Sheet
64	2387	2327 WAVE 8	2:14-cv-10162	Caddy v. Coloplast Corp.	Southern District of California, San Diego Division	Doyle Lowther	San Diego, CA 92110	CA		Ethicon Sheet

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	MDL	Wave Flag	Civil Action No.	Case Style	Transfer/Remand Venue	Plaintiff's Counsel of Record	Plaintiff's City and State of Residence	State of Implant and any removal	Disputed Transfer Venue	location of info (Court use only)
65	2387	2387 WAVE 5	2:12-cv-04219	Jacobs et al v. Mentor Corporation et al	Remand - FL, Middle District, Tampa Div	Kline & Specter				2431
66	2387	2387 WAVE 5	2:13-cv-08521	Murray v. Mentor Worldwide LLC et al						
67	2387	2387 WAVE 5	2:13-cv-09466	Eggleston v. Mentor Worldwide LLC et al						
68	2387	2387 WAVE 5	2:13-cv-09859	Silva et al v. Mentor Worldwide LLC et al						
69	2387	2387 WAVE 5	2:13-cv-13713	Hernandez v. Mentor Worldwide LLC et al						
70	2387	2387 WAVE 5	2:13-cv-20021	Johnson v. Mentor Worldwide LLC et al						
71	2387	2387 WAVE 5	2:13-cv-20128	Ludholtz et al v. Coloplast Corp.						
72	2387	2387 WAVE 5	2:13-cv-20373	Decelles v. Mentor Worldwide LLC et al	Southern District of California, San Diego Division	Aylstock Witkin Kreis & Overholtz	Fallbrook, CA	CA		2430
73	2387	2387 WAVE 5	2:13-cv-20510	Tridente et al v. Mentor Worldwide LLC et al						
74	2387	2387 WAVE 5	2:13-cv-26694	Fred et al v. Mentor Worldwide LLC et al						
75	2387	2387 WAVE 5	2:14-cv-11656	Copeland et al v. Coloplast Corp.						
76	2387	2387 WAVE 5	2:14-cv-12587	Jara et al v. Mentor Worldwide LLC et al						
77	2387	2387 WAVE 5	2:14-cv-14127	Evans et al v. Coloplast Corp.	Northern District of Texas, Dallas Division	Dr. Shezad Malik Law Office	Corsicana, TX	TX		2430
78	2387	2387 WAVE 5	2:14-cv-17128	Eubanks v. Coloplast Corp.						
79	2387	2387 WAVE 5	2:14-cv-24123	Simmons v. Mentor Worldwide LLC et al						
80	2387	2387 WAVE 5	2:14-cv-24928	Ray et al v. Mentor Worldwide LLC et al						
81	2387	2387 WAVE 5	2:14-cv-25973	Redding v. Coloplast Corp.	Middle District of Florida, Orlando Division	The Maher Law Firm	Orlando, FL	FL		2430
82	2387	2387 WAVE 5	2:14-cv-26518	Silvestre v. Coloplast Corp.						
83	2387	2387 WAVE 5	2:14-cv-27484	Sparks et al v. Coloplast Corp.	Western District of North Carolina	Baron & Budd; Clark Love & Hutson	Dallas, NC	NC		2430
84	2387	2387 WAVE 5	2:15-cv-02543	Pearson v. Coloplast Corp.						
85	2387	2387 WAVE 5	2:15-cv-04197	Morgan et al v. Mentor Worldwide LLC et al						
86	2387	2387 WAVE 5	2:15-cv-11358	Raymond et al v. Coloplast Corp.						
87	2387	2387 WAVE 5	2:15-cv-12673	Sweatman et al v. Coloplast Corp.	District of South Carolina	Babbitt Johnson Osborne & Le Clainche	Leesville, SC	SC		2430
88	2387	2387 WAVE 5	2:16-cv-03099	Teran v. Coloplast Corp.	Northern District of Illinois	Power Rogers & Smith	Mount Prospect, IL	IL		2430

EXHIBIT A
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	MDL	Wave Flag	Civil Action No.	Case Style	Transfer/Remand Venue	Plaintiff's Counsel of Record	Plaintiff's City and State of Residence	State of Implant and any removal	Disputed Transfer Venue	location of info (Court use only)
89	2387	2387 WAVE 5	2:16-cv-04964	Wujnovich et al v. Coloplast Corp.	Middle District of Florida, Tampa Division	Harr Law Firm	Sarasota, FL	FL		2430
90	2387	2387 WAVE 5	2:16-cv-06483	Marston v. Mentor Worldwide LLC et al						
91	2387	2387 WAVE 6	2:13-cv-01858	Perretta et al v. Mentor Worldwide LLC et al	Northern District of Illinois	Clifford Law	Alsip, IL	IL		2430
92	2387	2387 WAVE 6	2:13-cv-01902	Arevalo v. Mentor Worldwide LLC et al	P =FL, ND Pensacola D= GA, ND, Rome	Schlesinger Law Offices	Gulfport, MS	FL and LA	x	2430
93	2387	2387 WAVE 6	2:13-cv-19496	Lofly et al v. Mentor Worldwide LLC et al						
94	2387	2387 WAVE 6	2:13-cv-20647	Perez et al v. Mentor Worldwide LLC et al	Central District of California, Western Division	Humphrey Law	Los Angeles, CA	CA		2430
95	2387	2387 WAVE 6	2:14-cv-15373	Garcia v. Coloplast Corp.	District of New Mexico	Lowe Law Group; Flint & Associates	Roswell, NM	NM		2430
96	2387	2387 WAVE 6	2:15-cv-13643	Vigil et al v. Coloplast Corp.	Southern District of California, San Diego Division	Kline & Specter	Oceanside, CA	CA		2430
97	2387	2387 WAVE 6	2:15-cv-14353	Hammock et al v. Mentor Worldwide LLC et al	P=IL, SD D= IL, CD	Michael J. Meyer	Bluford, IL	IL	x	2430
98	2387	2387 WAVE 6	2:16-cv-00871	Godreau-Rivera et al v. Coloplast Corp.	District of Delaware, New	Schlesinger Law Offices	Newark, DE	DE		2430
99	2387	2387 WAVE 6	2:16-cv-06588	Moore v. Coloplast Corp.	Middle District of Tennessee, Nashville Division	Kline & Specter	Silver Point, TN	TN		2430
100	2387	2387 WAVE 6	2:17-cv-00482	Stevens v. Coloplast Corp.	Southern District of Illinois, Division of East St. Louis	Lieff Cabraser Heimann & Bernstein	Centralia, IL	IL and MO		2430
101	2387	2387 WAVE 8	2:18-cv-01006	Armstead et al v. Coloplast Corp.	Middle District of North Carolina	Clark Love & Hutson	Lumberton, NC	NC		2430
102	2387	2387 WAVE 9	2:13-cv-19443	Jones v. Coloplast Corp.						
103	2387	2387 WAVE 9	2:14-cv-10600	Coen v. Coloplast Corp.						
104	2387	2387 WAVE 9	2:14-cv-22526	Rivera et al v. Coloplast Corp.						
105	2387	2387 WAVE 9	2:15-cv-07359	Biddle v. Coloplast Corp.						
106	2387	2387 WAVE 9	2:17-cv-02873	Kissinger v. Coloplast Corp.						
107	2387	NR PTO	2:15-cv-10117	Swearingen v. Coloplast Corp.						

EXHIBIT B
PTO # 160

	Case Number	Case Style
1	2:12-cv-08136	Simpson v. Mentor Worldwide LLC et al
2	2:13-cv-10172	Nellenbach v. Mentor Worldwide LLC et al
3	2:13-cv-19496	Loftly et al v. Mentor Worldwide LLC et al
4	2:13-cv-23821	Biesterfeld et al v. Mentor Worldwide LLC et
5	2:13-cv-27092	Morgan v. Coloplast Corp.
6	2:13-cv-30025	Holloway et al v. Mentor Worldwide LLC et al
7	2:14-cv-14368	Tidwell et al v. Coloplast Corp.
8	2:14-cv-21241	Boles et al v. Coloplast Corp.
9	2:16-cv-04789	Lagerquist et al v. Mentor Worldwide LLC et
10	2:16-cv-04804	Page v. Mentor Worldwide LLC et al

EXHIBIT C
PTO # 160

	Civil Action No.	Case Style	Remaining Defendants
1	2:13-cv-15026	Gezzi v. Mentor Worldwide LLC	Mentor Worldwide LLC
2	2:13-cv-24445	Holliday v. Mentor Worldwide LLC	Mentor Worldwide LLC
3	2:14-cv-22070	Beasley et al v. Mentor Worldwide LLC et al	Mentor Worldwide LLC ; Coloplast Corp.
4	2:14-cv-22394	Muse et al v. Mentor Worldwide LLC et al	Mentor Worldwide LLC ; Coloplast Corp.
5	2:15-cv-10117	Swearingen v. Coloplast Corp.	Coloplast Corp.