

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

CHARLESTON DIVISION

IN RE: NEOMEDIC PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL 2511

THIS DOCUMENT RELATES TO THE CASE
IDENTIFIED BELOW

**PRETRIAL ORDER # 34
(Order Setting Mandatory Settlement Conference)**

Ten unresolved cases against Neomedic International, S.L., Desarrollo e Investigación Médica Aragonesa, S.L. (“DIMA”), Specialties Remeex, International, S.L., and/or Neomedic, Inc. (collectively, “Neomedic”) remain in this MDL and others assigned to me. By separate order entered today, in cases in the Neomedic MDL where plaintiffs have not complied with the requirement to produce a Plaintiff Profile Form, I have set a show cause hearing requiring plaintiffs to show cause why their cases should not be dismissed with prejudice. In the below-referenced case against Neomedic, the plaintiff has produced a Plaintiff Profile Form:

McDonald, Donna – MDL 2511 - Civil Action No. 2:15-cv-05959

For reasons appearing to the court, it is **ORDERED** as follows:

1. Counsel for plaintiff in the above-referenced case who has alleged claims against Neomedic and whose case has not been resolved (*i.e.* dismissed with or without prejudice, placed on an inactive docket, or accepted a settlement offer from Neomedic), and is not subject to an agreement in principle to resolve, is directed to meet and confer with Ms. Carolyn Purwin, settlement counsel for Neomedic, on or before **December 16, 2016**, and to engage in good faith

discussions about the possibility of settlement. Counsel may also contact the special master, Mr. Ethan Greene.

2. If the above-referenced case has not been resolved or dismissed by **December 16, 2016**, the court will conduct a settlement conference in Charleston, West Virginia at the Robert C. Byrd United States Courthouse, Room 7800 beginning at **9:00 a.m. on January 4, 2017**, and continuing from day-to-day thereafter.

3. The court will enter an order on or before **December 19, 2016**, confirming that the settlement conference will be conducted.

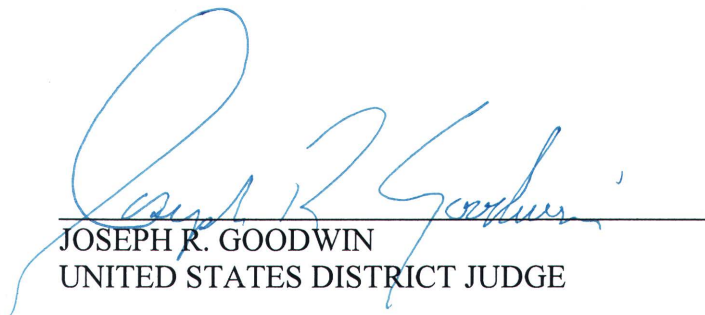
4. The individual plaintiff whose case is scheduled for a settlement conference on the Neomedic claims shall appear in person for the settlement conference with counsel.

5. If the plaintiff fails to comply with this PTO, she may be subject to a substantial sanction, including dismissal of the Neomedic claims with prejudice.

6. Cases or claims against Neomedic not settled during the settlement conference will be dealt with by further order.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:14-md-2511 *and in the individual case cited above*. 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: December 5, 2016



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE