

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

IN RE MENTOR CORP. OBTAPE	*	MDL Docket No. 2004 4:08-MD-2004 (CDL)
TRANSOBTURATOR SLING PRODUCTS	*	
LIABILITY LITIGATION	*	Cases: ALL

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CASE MANAGEMENT ORDER

This multidistrict litigation proceeding has fifty-five cases on a discovery track. See *infra* App. A. Those cases are governed by the Case Management Order of November 24, 2014, ECF No. 877 in 4:08-md-2004 and the Amended Case Management Order of March 16, 2015, ECF NO. 905 in 4:08-md-2004.

This Case Management Order governs the 383 open cases in this MDL that are not currently on a discovery track. See *infra* App. B. It also governs any Mentor MDL cases that are transferred to this Court or filed under the Direct Filing Order after the date of this Order. The parties shall no longer be allowed to place any case on a non-discovery track as permitted by the Case Management Order dated July 31, 2013, ECF No. 710 in 4:08-md-2004. Cases that are not on a discovery track shall be moved to Phase IV in groups. The oldest fifty open cases shall be moved to Phase IV immediately. Then, every ninety-one days, the parties shall identify the next fifty oldest open cases, and those cases shall be moved into a new Phase IV group.

**I. Phase IV-3 Schedule**

<b>Task</b>	<b>Deadline</b>
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in plaintiffs' counsel's possession	July 6, 2015
Serve Defendant Fact Sheet	August 3, 2015
Complete Plaintiff-Specific Fact Discovery	September 14, 2015
Serve Plaintiff's Expert Disclosures	September 28, 2015
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and <i>Daubert</i> Motions	October 26, 2015
Responses to Summary Judgment Motions	November 9, 2015
Replies to Summary Judgment Motions	November 16, 2015

The following fifty cases are Phase IV-3 cases:

4:11-cv-05069 (Johnson)	4:12-cv-00178 (Martin)
4:11-cv-05072 (Batista)	4:12-cv-00187 (Weeks)
4:11-cv-05076 (Cates)	4:12-cv-00192 (Soltis)
4:11-cv-05079 (Vowels)	4:12-cv-00193 (Augustine)
4:11-cv-05080 (Jones)	4:12-cv-00198 (Higbee)
4:12-cv-00012 (Castillo)	4:12-cv-00245 (Clinton)
4:12-cv-00014 (Brown)	4:12-cv-00247 (Glass)
4:12-cv-00015 (Anglin)	4:12-cv-00248 (Johnson)
4:12-cv-00016 (Hostettler)	4:12-cv-00249 (Mcbride)
4:12-cv-00017 (Roberson)	4:12-cv-00251 (Sass)
4:12-cv-00018 (Renner)	4:12-cv-00252 (Woolf)
4:12-cv-00019 (Wabsis)	4:12-cv-00277 (Jones)
4:12-cv-00051 (Johnson)	4:12-cv-00291 (Schram)
4:12-cv-00054 (Urbach)	4:12-cv-00299 (Hutto)
4:12-cv-00055 (Childs)	4:12-cv-00301 (Downey)
4:12-cv-00056 (Boudreaux)	4:12-cv-00303 (Cavazos)
4:12-cv-00073 (Campbell)	4:12-cv-00305 (Sanders)
4:12-cv-00084 (Dejesus)	4:12-cv-00309 (Mondon)
4:12-cv-00103 (Steele)	4:12-cv-00311 (Latta)
4:12-cv-00115 (Hale)	4:12-cv-00315 (Covington)
4:12-cv-00119 (McGaughy)	4:12-cv-00326 (Layton)
4:12-cv-00133 (King)	4:12-cv-00335 (Wallace)
4:12-cv-00162 (Bryant)	4:12-cv-00340 (Lizer)
4:12-cv-00167 (Marker)	4:13-cv-00006 (Parsley)
4:12-cv-00172 (Atchley)	4:13-cv-00011 (Hirshfield)

## II. Phase IV-4 Schedule

<b>Task</b>	<b>Deadline</b>
Identify fifty Phase IV-4 Cases (next fifty oldest open cases); file notice with Court	September 14, 2015
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in plaintiffs' counsel's possession	October 5, 2015
Serve Defendant Fact Sheet	November 2, 2015
Complete Plaintiff-Specific Fact Discovery	December 14, 2015
Serve Plaintiff's Expert Disclosures	December 28, 2015
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and Daubert Motions	January 25, 2016
Responses to Summary Judgment Motions	February 8, 2016
Replies to Summary Judgment Motions	February 15, 2016

## III. Phase IV-5 Schedule

<b>Task</b>	<b>Deadline</b>
Identify fifty Phase IV-5 Cases (next fifty oldest open cases); file notice with Court	December 14, 2015
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in plaintiffs' counsel's possession	January 4, 2016
Serve Defendant Fact Sheet	February 1, 2016
Complete Plaintiff-Specific Fact Discovery	March 14, 2016
Serve Plaintiff's Expert Disclosures	March 28, 2016
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and Daubert Motions	April 25, 2016
Responses to Summary Judgment Motions	May 9, 2016
Replies to Summary Judgment Motions	May 16, 2016

**IV. Phase IV-6 Schedule**

<b>Task</b>	<b>Deadline</b>
Identify fifty Phase IV-6 Cases (next fifty oldest open cases); file notice with Court	March 14, 2016
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in plaintiffs' counsel's possession	April 4, 2016
Serve Defendant Fact Sheet	May 2, 2016
Complete Plaintiff-Specific Fact Discovery	June 13, 2016
Serve Plaintiff's Expert Disclosures	June 27, 2016
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and Daubert Motions	July 25, 2016
Responses to Summary Judgment Motions	August 8, 2016
Replies to Summary Judgment Motions	August 15, 2016

**V. Additional Phase IV Groups**

Each additional Phase IV groups shall be identified 91 days after identification of the prior Phase IV group. After each new Phase IV group is identified and the Court is notified of which cases are in the new group, the following deadlines apply:

<b>Task</b>	<b>Deadline after ID</b>
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in plaintiffs' counsel's possession	21 Days
Serve Defendant Fact Sheet	49 Days
Complete Plaintiff-Specific Fact Discovery	91 Days
Serve Plaintiff's Expert Disclosures	105 Days
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and Daubert Motions	133 Days
Responses to Summary Judgment Motions	147 Days
Replies to Summary Judgment Motions	154 Days

**VI. Lexecon Waiver and Consolidation**

For each case that survives summary judgment, the parties shall notify the Court whether the parties agree to a Lexecon

waiver. That notice is due within seven days of the Court's summary judgment denial.

Plaintiffs may seek consolidation of any cases that survive summary judgment, whether or not the parties agree to a *Lexecon* waiver with regard to those cases. Plaintiffs' motion for consolidation is due twenty-eight days after the Court's summary judgment denial. The motion for consolidation shall identify the proper venue and applicable law for each case, as well as the ObTape implant date for each Plaintiff. Mentor may file a response to the motion to consolidate no more than fourteen days after the motion is filed. Any reply is due no more than seven days after the response is filed.

**VII. NO EXTENSIONS**

The Court has given careful consideration to developing this scheduling order and cannot imagine any circumstances that would warrant an extension of any of the deadlines. The parties should govern themselves accordingly.

IT IS SO ORDERED, this 10th day of June, 2015.

S/Clay D. Land  
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CLAY D. LAND  
CHIEF U.S. DISTRICT COURT JUDGE  
MIDDLE DISTRICT OF GEORGIA

**Appendix A: Phase IV-1 and IV-2 Cases**

**Phase IV-1**

*Scheduling Order - ECF No. 905  
MSJs Will Be Ripe 6/12/15*

4:11-cv-05073 (Cole)  
4:12-cv-00102 (Purol)  
4:12-cv-00175 (Shaw-Wakeman)  
4:12-cv-00176 (Taylor)  
4:12-cv-00179 (Hanson)  
4:12-cv-00181 (Roman)  
4:12-cv-00185 (Hatfield )  
4:12-cv-00196 (Ford)  
4:12-cv-00237 (Foster)  
4:12-cv-00238 (Escalera)  
4:12-cv-00276 (Burch)  
4:13-cv-00014 (Echeverria)  
4:13-cv-00015 (Smith)  
4:13-cv-00042 (Sanborn)  
4:13-cv-00121 (Preston)  
4:13-cv-00195 (Cole)  
4:13-cv-00225 (Brenner)  
4:13-cv-00282 (Hoffman)  
4:13-cv-00296 (Johnson)  
4:13-cv-00341 (Benson)  
4:13-cv-00360 (Herndon)  
4:13-cv-00434 (Carter)  
4:14-cv-00117 (Mack)

**Phase IV-2**

*Scheduling Order - ECF No. 877  
MSJs Will Be Ripe 9/11/15*

4:12-cv-00250 (Nielsen)  
4:12-cv-00298 (Kiker)  
4:12-cv-00307 (Rogers)  
4:12-cv-00308 (Mosier)  
4:12-cv-00319 (Kearse)  
4:12-cv-00323 (Shirey)  
4:13-cv-00010 (Weikel)  
4:13-cv-00017 (Bromley)  
4:13-cv-00048 (Shaffer)  
4:13-cv-00093 (M. Jackson)  
4:13-cv-00101 (Rupert)  
4:13-cv-00150 (Bishop)  
4:13-cv-00151 (Charles)  
4:13-cv-00153 (Klum)  
4:13-cv-00163 (Ingle )  
4:13-cv-00236 (Terry)  
4:13-cv-00241 (Leon)  
4:13-cv-00267 (Duarte)  
4:13-cv-00274 (A. Jackson)  
4:13-cv-00339 (Larranaga)  
4:13-cv-00346 (Urbietta)  
4:13-cv-00377 (Lovell)  
4:13-cv-00426 (Suen)  
4:13-cv-00427 (Brooks Williams)  
4:13-cv-00464 (Kaiser)  
4:13-cv-00483 (Uriegas)  
4:13-cv-00485 (Hill)  
4:13-cv-00503 (Degroot)  
4:14-cv-00060 (Burt)  
4:14-cv-00061 (Hall)  
4:14-cv-00062 (Alexander)  
4:14-cv-00063 (Chambers)

## Appendix B: Open Cases Not On A Discovery Track

4:11-cv-05069 (Johnson)	4:12-cv-00315 (Covington)
4:11-cv-05072 (Batista)	4:12-cv-00326 (Layton)
4:11-cv-05076 (Cates)	4:12-cv-00335 (Wallace)
4:11-cv-05079 (Vowels)	4:12-cv-00340 (Lizer)
4:11-cv-05080 (Jones)	4:13-cv-00006 (Parsley)
4:12-cv-00012 (Castillo)	4:13-cv-00011 (Hirshfield)
4:12-cv-00014 (Brown)	4:13-cv-00012 (Jefferson)
4:12-cv-00015 (Anglin)	4:13-cv-00023 (Blank)
4:12-cv-00016 (Hostettler)	4:13-cv-00026 (Koop)
4:12-cv-00017 (Roberson)	4:13-cv-00027 (Watson)
4:12-cv-00018 (Renner)	4:13-cv-00031 (Mandeville)
4:12-cv-00019 (Wabsis)	4:13-cv-00034 (Bedee)
4:12-cv-00051 (Johnson)	4:13-cv-00036 (Mcavoy)
4:12-cv-00054 (Urbach)	4:13-cv-00040 (Foster)
4:12-cv-00055 (Childs)	4:13-cv-00041 (Kemp)
4:12-cv-00056 (Boudreaux)	4:13-cv-00046 (Champion)
4:12-cv-00073 (Campbell)	4:13-cv-00050 (Hoyt)
4:12-cv-00084 (Dejesus)	4:13-cv-00053 (Silberman)
4:12-cv-00103 (Steele)	4:13-cv-00055* (Falls)
4:12-cv-00115 (Hale)	4:13-cv-00056 (Simmons)
4:12-cv-00119 (Mcgaughy)	4:13-cv-00061 (Jennings)
4:12-cv-00133 (King)	4:13-cv-00092 (Greenman)
4:12-cv-00162 (Bryant)	4:13-cv-00098 (Perez)
4:12-cv-00167 (Marker)	4:13-cv-00100 (Rector)
4:12-cv-00172* (Atchley)	4:13-cv-00106 (Holst)
4:12-cv-00178 (Martin)	4:13-cv-00115 (Temenak)
4:12-cv-00187 (Weeks)	4:13-cv-00116 (Mcneal)
4:12-cv-00192 (Soltis)	4:13-cv-00117 (Hampton)
4:12-cv-00193 (Augustine)	4:13-cv-00118 (Mordecai)
4:12-cv-00198 (Higbee)	4:13-cv-00124 (Findore)
4:12-cv-00245 (Clinton)	4:13-cv-00125 (Roy)
4:12-cv-00247 (Glass)	4:13-cv-00126 (Green)
4:12-cv-00248 (Johnson)	4:13-cv-00127 (Stelling)
4:12-cv-00249 (Mcbride)	4:13-cv-00128 (Herron)
4:12-cv-00251 (Sass)	4:13-cv-00130 (Thielke)
4:12-cv-00252 (Woolf)	4:13-cv-00131 (Roberts)
4:12-cv-00277 (Jones)	4:13-cv-00132 (Evans)
4:12-cv-00291 (Schram)	4:13-cv-00135 (Bergin)
4:12-cv-00299 (Hutto)	4:13-cv-00144 (Fudge)
4:12-cv-00301 (Downey)	4:13-cv-00147 (Emery-Woodhouse)
4:12-cv-00303 (Cavazos)	4:13-cv-00148 (Martin)
4:12-cv-00305 (Sanders)	4:13-cv-00149 (Russell)
4:12-cv-00309 (Mondon)	4:13-cv-00152 (Harris)
4:12-cv-00311 (Latta)	4:13-cv-00164 (Kirksey)

\* The parties represent that this case will soon be closed.

4:13-cv-00165	(Porter)	4:13-cv-00270	(Lee)
4:13-cv-00166	(Richardson)	4:13-cv-00272	(Barry)
4:13-cv-00169	(Suarez)	4:13-cv-00273	(Godwin)
4:13-cv-00182	(Eiklor)	4:13-cv-00275	(Garmon)
4:13-cv-00184	(Burnett)	4:13-cv-00277	(Warren)
4:13-cv-00185	(Harrell)	4:13-cv-00278	(Berrong)
4:13-cv-00186	(Jackson)	4:13-cv-00279	(Stuchell)
4:13-cv-00192	(Davis)	4:13-cv-00280	(Pacheco)
4:13-cv-00196	(Mcdaniel)	4:13-cv-00281	(Kimbrow)
4:13-cv-00201	(Brandt)	4:13-cv-00283	(Valder)
4:13-cv-00202	(Cook)	4:13-cv-00284	(Sprayberry)
4:13-cv-00203	(Reid)	4:13-cv-00285	(Young)
4:13-cv-00204	(Weissert)	4:13-cv-00286	(Osborn)
4:13-cv-00205	(Zanko)	4:13-cv-00287	(Andersen)
4:13-cv-00206	(Mcaleer)	4:13-cv-00288	(WELLS)
4:13-cv-00208	(Anderson)	4:13-cv-00289	(Rawson)
4:13-cv-00211	(Walker)	4:13-cv-00290	(Williams)
4:13-cv-00212	(Mccalla)	4:13-cv-00291	(Strauss)
4:13-cv-00214	(Thomas)	4:13-cv-00292	(Duquaine)
4:13-cv-00215	(Bullen)	4:13-cv-00293	(Klein)
4:13-cv-00221	(Burgess)	4:13-cv-00294	(Stuckey)
4:13-cv-00224	(Boeglin)	4:13-cv-00295	(Kimbrell)
4:13-cv-00227	(Ferguson)	4:13-cv-00297	(Elwart)
4:13-cv-00228	(Smart)	4:13-cv-00298	(Cornelius)
4:13-cv-00229	(Burke)	4:13-cv-00299	(Parker-
4:13-cv-00230*	(Russell )	Washington)	
4:13-cv-00232	(Brasier)	4:13-cv-00300	(Hernandez)
4:13-cv-00233	(Remphrey)	4:13-cv-00301	(Jeffcoat-Canter)
4:13-cv-00234	(Little)	4:13-cv-00302	(Burchett)
4:13-cv-00238	(Veal)	4:13-cv-00303	(Padilla)
4:13-cv-00239	(Pierce)	4:13-cv-00309	(Hooper)
4:13-cv-00242	(Mason)	4:13-cv-00311	(Webb)
4:13-cv-00243	(Standridge)	4:13-cv-00313	(Banks)
4:13-cv-00244	(Little)	4:13-cv-00314*	(Winnett-Welch)
4:13-cv-00245	(Winchester)	4:13-cv-00320	(Hixon)
4:13-cv-00246	(Jester)	4:13-cv-00321	(Cole)
4:13-cv-00247	(Jackson)	4:13-cv-00322	(Martinez-Deliz)
4:13-cv-00253	(Casler)	4:13-cv-00323	(Brown)
4:13-cv-00255	(Bidak)	4:13-cv-00324	(Lopez)
4:13-cv-00256	(Cash)	4:13-cv-00325*	(Lindsey)
4:13-cv-00257	(Martinez)	4:13-cv-00329	(Martinez)
4:13-cv-00260	(Scoville)	4:13-cv-00330*	(Martinez )
4:13-cv-00262	(Jones)	4:13-cv-00333	(Albertson)
4:13-cv-00264	(Hallahan)	4:13-cv-00335	(Davis)
4:13-cv-00265	(Mock)	4:13-cv-00336	(Johnson)
4:13-cv-00268	(Kissell)	4:13-cv-00337	(Naon)

\* The parties represent that this case will soon be closed.



4:13-cv-00338 (Loflin)	4:13-cv-00466* (Roberson)
4:13-cv-00342 (Washington)	4:13-cv-00473 (Thompson)
4:13-cv-00344 (Mcgaffin)	4:13-cv-00476 (Young)
4:13-cv-00345 (Stewart)	4:13-cv-00478 (Waters)
4:13-cv-00348 (Bonnet)	4:13-cv-00479 (Lopez)
4:13-cv-00349 (Denton)	4:13-cv-00484 (Moors)
4:13-cv-00353 (Harmen)	4:13-cv-00490 (Cain)
4:13-cv-00355 (Cox)	4:13-cv-00491 (Boyd)
4:13-cv-00356 (Bottjer)	4:13-cv-00492 (Hoefler)
4:13-cv-00358* (Zabinsky )	4:13-cv-00493 (Boshers)
4:13-cv-00359 (Rinaldi)	4:13-cv-00494 (Diblas)
4:13-cv-00364 (Dorsey)	4:13-cv-00499 (Brawner)
4:13-cv-00365 (Hernandez)	4:13-cv-00504 (Vanderhall)
4:13-cv-00366 (Newman)	4:13-cv-00505 (Ocasio)
4:13-cv-00368* (Ross )	4:13-cv-00507 (Bibee)
4:13-cv-00369 (Rodriguez)	4:13-cv-00508 (Hill)
4:13-cv-00370 (Alvarado)	4:13-cv-00509 (Denson)
4:13-cv-00371 (Bookil)	4:13-cv-00512 (Lott)
4:13-cv-00373 (Chavez-Rubio)	4:13-cv-00514 (Tortorice)
4:13-cv-00375 (Habony)	4:13-cv-00521 (Jennings)
4:13-cv-00376 (Hooker)	4:13-cv-00522 (Young Berdanier)
4:13-cv-00378* (Barnes-Miller)	4:13-cv-00523 (Cudnohufsky)
4:13-cv-00380 (Mendez)	4:13-cv-00524 (Romero)
4:13-cv-00381 (Montano)	4:13-cv-00526 (Smith)
4:13-cv-00382 (Nelson)	4:13-cv-00527 (Lashley)
4:13-cv-00384 (Wiley)	4:13-cv-00533 (Lange)
4:13-cv-00388 (Austin)	4:14-cv-00004 (Cramer)
4:13-cv-00393 (Grigg)	4:14-cv-00006 (Mcdannel)
4:13-cv-00394 (Landeros)	4:14-cv-00007 (Reinke)
4:13-cv-00395 (Revia)	4:14-cv-00008 (Phillips)
4:13-cv-00396 (Arone)	4:14-cv-00012 (Evans)
4:13-cv-00397 (Zonak)	4:14-cv-00013 (Thrower)
4:13-cv-00400 (Perryman)	4:14-cv-00014 (Edwards)
4:13-cv-00414 (Mattingly)	4:14-cv-00015 (Earwood)
4:13-cv-00419 (Mitchell)	4:14-cv-00017 (Mcknight)
4:13-cv-00425 (Reyna)	4:14-cv-00019 (Morgan)
4:13-cv-00429 (Kuklies)	4:14-cv-00021 (Lindsey)
4:13-cv-00432 (Miranda)	4:14-cv-00022 (Brown)
4:13-cv-00433* (WILLIAMS )	4:14-cv-00024 (Hodgkins)
4:13-cv-00437 (Box)	4:14-cv-00026 (Rickman)
4:13-cv-00438 (Owen)	4:14-cv-00031 (Belcher)
4:13-cv-00441* (Haugen )	4:14-cv-00032 (Smith)
4:13-cv-00448 (Villarreal)	4:14-cv-00038 (Hitchcock)
4:13-cv-00450 (Samples)	4:14-cv-00053 (Lewis)
4:13-cv-00462 (Stroligo)	4:14-cv-00054 (Dacey)
4:13-cv-00465 (Ohrt (Ogle))	4:14-cv-00055* (Atwater )

\* The parties represent that this case will soon be closed.

4:14-cv-00056*	(Montero )	4:14-cv-00178	(Rawls)
4:14-cv-00057*	(Wenthold )	4:14-cv-00179	(Schwab)
4:14-cv-00058*	(Yeatman )	4:14-cv-00180	(Smith)
4:14-cv-00073	(Bender)	4:14-cv-00183	(Jeffcoat)
4:14-cv-00078	(Hampton)	4:14-cv-00185	(Laroche)
4:14-cv-00079	(Nicolaides)	4:14-cv-00186	(Krummel-
4:14-cv-00088	(Wright)	Mccracken)	
4:14-cv-00095	(Mckee)	4:14-cv-00189	(Holmes)
4:14-cv-00098	(Flaherty)	4:14-cv-00190	(Ertz)
4:14-cv-00099	(Chock)	4:14-cv-00191	(Tucker)
4:14-cv-00104	(Jacobian)	4:14-cv-00195	(Robitaille)
4:14-cv-00105	(Hendrix)	4:14-cv-00196	(Macheel)
4:14-cv-00106	(Craig)	4:14-cv-00197	(Silva)
4:14-cv-00107	(Hogan)	4:14-cv-00198	(Weber)
4:14-cv-00108	(Uhl)	4:14-cv-00199	(Mcmath)
4:14-cv-00109	(Hall)	4:14-cv-00200	(Willis)
4:14-cv-00113	(Morgan)	4:14-cv-00201	(Yandle)
4:14-cv-00114	(Mancil)	4:14-cv-00202	(Edelblute)
4:14-cv-00118	(Sides)	4:14-cv-00206	(Barton)
4:14-cv-00124	(Daughtery)	4:14-cv-00207	(Luciano)
4:14-cv-00129	(Anderson)	4:14-cv-00209	(Stafford)
4:14-cv-00130	(Worden)	4:14-cv-00211	(Poland)
4:14-cv-00131	(Cade)	4:14-cv-00212	(Harmon)
4:14-cv-00132	(Mclaughlin)	4:14-cv-00213	(Tule)
4:14-cv-00133	(Dakins)	4:14-cv-00214	(Ydrogo)
4:14-cv-00134	(Zachrison)	4:14-cv-00215	(Vogel)
4:14-cv-00150	(Mero)	4:14-cv-00216	(Williams)
4:14-cv-00152	(Douglas)	4:14-cv-00217	(Hayes)
4:14-cv-00155	(Kinsey)	4:14-cv-00218	(Hennessy)
4:14-cv-00156	(Kettle)	4:14-cv-00233	(Olvera)
4:14-cv-00157	(Andreotta)	4:14-cv-00238	(White)
4:14-cv-00158	(Fincham)	4:14-cv-00240	(Slazer)
4:14-cv-00159	(Karash)	4:14-cv-00241	(Mccauley)
4:14-cv-00160	(Little)	4:14-cv-00242	(Hatfield)
4:14-cv-00161	(Parcell)	4:14-cv-00243	(Derrow)
4:14-cv-00162	(Phillips)	4:14-cv-00246	(Shadwick)
4:14-cv-00165	(Geist)	4:14-cv-00258	(Spychala)
4:14-cv-00168	(Golden)	4:14-cv-00259	(Bowe-Diouf)
4:14-cv-00169	(Marischeil)	4:14-cv-00268	(Kessler)
4:14-cv-00170	(Green)	4:14-cv-00269	(Gottschalk)
4:14-cv-00171	(Jenkins)	4:14-cv-00282	(Gabourel)
4:14-cv-00172	(Prano)	4:14-cv-00284	(Greene)
4:14-cv-00173	(Stanford)	4:14-cv-00286	(Espaillat)
4:14-cv-00175	(Baker)	4:14-cv-00287	(Ellis)
4:14-cv-00176	(Gaurin)	4:14-cv-00288	(Gunnels)
4:14-cv-00177	(Herron)	4:14-cv-00293	(Mabe)

\* The parties represent that this case will soon be closed.

4:14-cv-00294	(Noel)	4:15-cv-00048	(Presnell)
4:14-cv-00295	(Dee)	4:15-cv-00049	(Winn)
4:14-cv-00296	(Campbell)	4:15-cv-00071	(Hattery)
4:14-cv-00297	(Hammond)	4:15-cv-00073	(Campbell)
4:14-cv-00298	(Putt)	4:15-cv-00076	(Miller)
4:14-cv-00299	(Neeld)	4:15-cv-00078	(Kester)
4:14-cv-00302	(Aldrich)	4:15-cv-00083	(Monsegur)
4:15-cv-00023	(Ficken)	4:15-cv-00084	(Creighton)
4:15-cv-00043	(Grant)	4:15-cv-00085	(Finch)
4:15-cv-00044	(Williams)	4:15-cv-00086	(Neeley)
4:15-cv-00045	(Johnson)		

\* The parties represent that this case will soon be closed.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

IN RE MENTOR CORP. OBTAPE	*	MDL Docket No. 2004 4:08-MD-2004 (CDL)
TRANSOBTURATOR SLING PRODUCTS	*	
LIABILITY LITIGATION	*	Cases: ALL

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CASE MANAGEMENT ORDER

The Court entered a scheduling and discovery order setting discovery and dispositive motion deadlines for Phase IV cases that were not in Phase IV-1 or Phase IV-2. See Scheduling/Discovery Order, June 10, 2015, ECF No. 930 in 4:08-md-2004. Plaintiffs filed a motion to amend that scheduling order because the deadline for all *Daubert* motions is the same day as the deadline for Mentor's expert disclosures. That motion to amend (ECF No. 962 in 4:08-md-2004) is granted to the following extent. For Phase IV-3 and all subsequent Phase IV groups, Mentor's *Daubert* motion deadline remains unchanged (133 days after Phase IV group identification). Any response to Mentor's *Daubert* motions is due within fourteen days. Plaintiffs' *Daubert* motions are due 28 days after service of Mentor's expert disclosures unless Plaintiffs argue that Mentor's expert testimony should not be considered at summary judgment; in such cases, Plaintiffs' *Daubert* motions are due with the summary judgment responses, and responses to such

*Daubert* motions are due with the reply in support of summary judgment.

Accordingly, the schedule for all Phase IV-3 cases and all cases in subsequent Phase IV groups is as follows:

<b>Task</b>	<b>Deadline after ID</b>
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in Plaintiffs' counsel's possession	21 Days
Serve Defendant Fact Sheet	49 Days
Complete Plaintiff-Specific Fact Discovery	91 Days
Serve Plaintiff's Expert Disclosures	105 Days
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and Defendant's <i>Daubert</i> Motions	133 Days
Responses to Summary Judgment Motions and Defendant's <i>Daubert</i> Motions; File Plaintiff's <i>Daubert</i> Motions in Opposition to Summary Judgment	147 Days
Replies to Summary Judgment Motions; Responses to Plaintiff's <i>Daubert</i> Motions in Opposition to Summary Judgment	154 Days
File Plaintiff's <i>Daubert</i> Motions that are <u>not</u> in opposition to summary judgment.	161 Days
Responses to Plaintiff's <i>Daubert</i> Motions that are <u>not</u> in opposition to summary judgment	175 Days

The Court did not set deadlines for *Daubert* motions in Phase IV-1 and IV-2, and the dispositive motions deadlines for those groups have passed. For any Phase IV-1 or IV-2 case the parties agree to try in this Court, the Court will take up any *Daubert* motions at the pretrial conferences in those cases. *Daubert* motions for Phase IV-1 and IV-2 cases must be filed at least twenty-one days before the pretrial conference, and any

response to such a *Daubert* motion is due at least fourteen days before the pretrial conference.

IT IS SO ORDERED, this 8th day of October, 2015.

S/Clay D. Land

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CLAY D. LAND

CHIEF U.S. DISTRICT COURT JUDGE  
MIDDLE DISTRICT OF GEORGIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

IN RE MENTOR CORP. OBTAPE	*	MDL Docket No. 2004 4:08-MD-2004 (CDL)
TRANSOBTURATOR SLING PRODUCTS	*	
LIABILITY LITIGATION	*	Case Nos.:
		ALL

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O R D E R

The Court entered a scheduling/discovery order (ECF No. 930) governing the remaining open cases in this multidistrict litigation proceeding. That order provided a process for the parties to notify the Court of a *Lexecon* waiver in the event of a denied summary judgment motion, but it did not provide a process for the parties to notify the Court of a *Lexecon* waiver if Mentor did not file a summary judgment motion. Mentor seeks to amend the scheduling/discovery order to provide for such a process. Mentor's motion to amend (ECF No. 976) is granted, and the scheduling/discovery order (ECF No. 930) is amended to add the following language to Paragraph VI:

If Mentor declines to file a dispositive motion for a given case, Mentor shall notify the Court of this decision on or before the dispositive motion deadline. The parties will then have seven days after the filing of Mentor's notice to notify the Court whether the parties agree to a *Lexecon* waiver.

IT IS SO ORDERED, this 16th day of November, 2015.

S/Clay D. Land

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CLAY D. LAND

CHIEF U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

IN RE MENTOR CORP. OBTAPE	*	MDL Docket No. 2004 4:08-MD-2004 (CDL)
TRANSOBTURATOR SLING PRODUCTS	*	
LIABILITY LITIGATION	*	Cases: ALL

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CASE MANAGEMENT ORDER

The Court entered a scheduling and discovery order setting discovery and dispositive motion deadlines for Phase IV cases that were not in Phase IV-1 or Phase IV-2. See Scheduling/Discovery Order, June 10, 2015, ECF No. 930 in 4:08-md-2004. The Court later amended that Order to set deadlines for *Daubert* motion briefing. See Order Granting Mot. to Amend/Correct, Oct. 8, 2015, ECF No. 963 in 4:08-md-2004. The parties filed another joint motion to amend the scheduling order to distinguish between case-dispositive *Daubert* motions and non-dispositive *Daubert* motions. That motion to amend (ECF No. 991 in 4:08-md-2004) is granted.

The parties' case-dispositive *Daubert* motion deadlines remain unchanged. Mentor's case-dispositive *Daubert* motions are due 133 days after Phase IV group identification, and any responses to Mentor's case-dispositive *Daubert* motions are due within fourteen days. Plaintiffs' case-dispositive *Daubert* motions are due with the summary judgment responses, and

responses to such *Daubert* motions are due with the reply in support of summary judgment. The deadline for non-dispositive *Daubert* motions is twenty-one days before the pretrial conference, and any response shall be filed fourteen days before the pretrial conference.

Thus, the schedule for all pending cases is as follows:

<b>Task</b>	<b>Deadline</b>
Serve Plaintiff Fact Sheet and Executed Medical Authorization; provide Mentor with copies of all medical records in Plaintiffs' counsel's possession	21 Days after ID
Serve Defendant Fact Sheet	49 Days after ID
Complete Plaintiff-Specific Fact Discovery	91 Days after ID
Serve Plaintiff's Expert Disclosures	105 Days after ID
Serve Defendant's Expert Disclosures; File Summary Judgment Motions and Defendant's case-dispositive <i>Daubert</i> Motions	133 Days after ID
Responses to Summary Judgment Motions and Defendant's case-dispositive <i>Daubert</i> Motions; File Plaintiff's case-dispositive <i>Daubert</i> Motions in Opposition to Summary Judgment	147 Days after ID
Replies to Summary Judgment Motions; Responses to Plaintiff's case-dispositive <i>Daubert</i> Motions in Opposition to Summary Judgment	154 Days after ID
File non-dispositive <i>Daubert</i> Motions	21 Days before Pretrial Conference
Responses to non-dispositive <i>Daubert</i> Motions	14 Days before Pretrial Conference

IT IS SO ORDERED, this 22nd day of December, 2015.

S/Clay D. Land  


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CLAY D. LAND  
CHIEF U.S. DISTRICT COURT JUDGE  
MIDDLE DISTRICT OF GEORGIA