

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: COVIDIEN HERNIA MESH
PRODUCTS LIABILITY LITIGATION
NO. II,

This Document Relates To:

All Cases

MDL No. 1:22-md-03029-PBS

CASE MANAGEMENT ORDER NO. 11
(Scheduling Order – Dispositive Motions & Trials)

In furtherance of the effective and efficient case management of complex litigation, the Court sets the following case deadlines. None of the deadlines below modify or change the case deadlines set forth in CMO 4, which remain in effect.

I. SELECTION OF TRIAL CASES

<u>Date</u>	<u>Event</u>
December 1, 2023	Deadline for the Parties to confirm that the Bellwether Discovery Pool Plaintiffs, as well as Defendants, have waived <i>Lexecon</i> as to the six Bellwether Discovery Cases only.
September 15, 2024	The Parties shall each identify one plaintiff from the Bellwether Discovery Pool, which will be the first two cases to be tried in this MDL (“Trial Cases”).

II. DISPOSITIVE/DAUBERT MOTIONS

<u>Date</u>	<u>Event</u>
October 14, 2024	Deadline for the parties to file dispositive and/or <i>Daubert</i> motions in the Trial Cases.
November 22, 2024	Deadline for the parties to file responses in opposition to any dispositive and/or <i>Daubert</i> motions in the Trial Cases.
December 13, 2024	Deadline for the parties to file replies in support of any dispositive and/or <i>Daubert</i> motions in the Trial Cases.

III. MEDIATION

Date	Event
June 7, 2024	Deadline for the parties to identify a mediator.
January 17, 2025	Deadline for the parties to complete mediation.

IV. MANNER & ORDER OF TRIAL CASES

Date	Event
January 13, 2025	Deadline for the parties to submit to the Court either as a joint proposal or as separate proposals a memorandum on the proposed manner of trial, order of the Trial Cases, and timing of trial. Separate proposals shall be limited to no more than 12 pages in length.
January 21, 2025	Deadline for any responses to the memorandum on manner and order of the Trial Cases, which shall be limited to 6 pages in length.

V. TRIAL CASES

The Court will select the order of the Trial Cases for trial and will select the dates for trial after January 24, 2025.

SO ORDERED.



Hon. Patti B. Saris
United States District Judge