

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: ETHICON PHYSIOMESH	:	MDL DOCKET NO. 2782
FLEXIBLE COMPOSITE	:	CIVIL ACTION NO.
HERNIA MESH PRODUCTS	:	[ <i>INSERT</i> ]
LIABILITY LITIGATION	:	

**DEFENDANTS' FACT SHEET**

Defendants Ethicon, Inc. and Johnson & Johnson (collectively “Defendants”) hereby submit the following Defendants’ Fact Sheet responses for the above referenced case.

**INSTRUCTIONS**

Please provide the following information for plaintiff (or plaintiff’s decedent) (hereinafter “Plaintiff”) who was implanted with a Physiomesh device that is the subject of Plaintiff’s complaint in the above referenced action.

In filling out this form, please respond on the basis of information and/or documents that are reasonably available to the Defendants. “Relevant Healthcare Provider(s)” as used herein is defined as the physician identified in the Plaintiff Fact Sheet as the physician who implanted or explanted Plaintiff’s Physiomesh. In addition, “produce” shall include, at Defendants’ option, the physical production of documents to Plaintiffs’ counsel, the identification of how documents can be located in Defendants’ document production in the MDL, or making documents available to plaintiffs’ counsel on a dedicated DFS website.

**I. CASE INFORMATION**

A. Caption:

B. Docket No.:

## **II. PLAINTIFFS' HEALTHCARE PROVIDERS**

1. Produce consulting agreements, if any, between Defendants and every Relevant Healthcare Provider, including, but not limited to, agreements to provide advice on the design, study, testing or use of the Physiomesh device, or agreements to consult as a thought leader, opinion leader, member of a speaker's bureau or similar arrangement.
2. Produce documents and/or information sufficient to identify all monetary benefits provided to every Relevant Healthcare Provider, including amounts, dates and purpose.
3. Produce documentation and information regarding any training provided to or by Plaintiff's Relevant Healthcare Providers relating to the Physiomesh device, including but not limited to any documentation relating to attendance at any proctoring or preceptor session, cadaver lab, wet lab or any other training or informational session.
4. Produce documents relating to the Physiomesh product(s) that were provided to Plaintiff or Plaintiff's Relevant Healthcare Providers, including but not limited to instructions, warnings, brochures, pamphlets, patient information, or sales, marketing or promotional information or material.
5. Produce documents reflecting or relating to communications between you and each Relevant Healthcare Provider, including but not limited to communications between the physician and any sales representative or other agent or employee of Defendants relating in any way to Physiomesh or any patient of the physician implanted with any Physiomesh product(s).
6. Produce documents collected from Sales Representatives and Division Managers that Ethicon has a reasonable and good faith belief were created during the time in which the Sales Representative and/or Division Manager had involvement with Ethicon and/or Physiomesh and that reference a Relevant Healthcare Provider.

**III. SALES REPRESENTATIVE INFORMATION**

1. From January 1, 2010 to June 1, 2016, identify the sales representative who was assigned to the territory for the Relevant Healthcare Provider and/or implanting facility identified in the PFS as: [*INSERT*] including the sales representative's division manager and the time period the sales representative worked within the applicable territory.

Time Period	Sales Representative	Sales Representative Employment Status	Division Manager

**IV. SALES DATA**

1. Set forth the total number of Physiomesh devices sold to the implanting facility(ies) identified in the PFS and the total amount of gross sales for Physiomesh, listed by year.

**V. PLAINTIFF INFORMATION**

1. Produce every Medical Device Complaint File, Adverse Event, MAUDE Report, or any similar file or document referencing Plaintiff with regard to Physiomesh.