

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

IN RE: ETHICON PHYSIOMESH FLEXIBLE COMPOSITE HERNIA MESH PRODUCTS LIABILITY LITIGATION	MDL DOCKET NO. 2782 CIVIL ACTION NO. 1:17-md-02782-RWS
THIS DOCUMENT RELATES TO ALL CASES	

PRACTICE AND PROCEDURE ORDER NO. 17 - SUPPLEMENTAL DISCLOSURES

In order to efficiently manage this MDL and to require more specific information about the makeup of this litigation, the Court has determined that plaintiffs should provide certain Supplemental Disclosures about the claims. It is therefore ORDERED as follows:

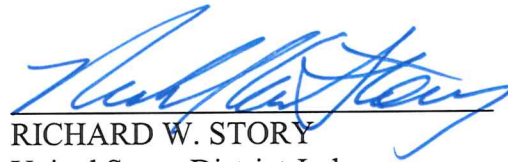
1. This Order shall govern (1) all cases transferred to this Court by the Judicial Panel on Multidistrict Litigation, including those cases subsequently transferred as tag-along actions; and (2) all cases directly filed in, or removed to, this MDL.
2. For any case filed or transferred prior to the entry of this Order, Plaintiffs shall serve completed Supplemental Disclosures as described in this Order by November 15, 2019. For cases filed or transferred after the date of this Order, Supplemental

Disclosures shall be served within forty-five (45) days of the filing of the Complaint or the transfer of the case into this MDL.

3. Pursuant to the agreement of the parties, the Supplemental Disclosures shall be completed electronically and served to Defendants using the Ankura Consulting Group, LLC (“Ankura”) “MDL Online” system.
4. Ankura shall maintain a secure, confidential, and searchable database available to Defendants, Plaintiffs, and any authorized third-party vendors retained by the parties. The manner in which each party accesses or utilizes the data and database shall be strictly confidential and not disclosed in any manner by Ankura.
5. The Supplemental Disclosures shall include the following materials, which will be uploaded as directed on the MDL Online system:
 - a. History and physical, operative note, product identification sticker, and discharge summary from hospitalization where Physiomesh was implanted.
 - b. History and physical, operative note and discharge summary from any explant or revision of Physiomesh.
 - c. History and physical, operative note and discharge summary from any hospitalization(s) related to treatment for alleged injury from Physiomesh.
 - d. Any medical record related to treatment for alleged injury from Physiomesh.
 - e. History and physical, operative note and discharge summary where any other hernia mesh was implanted, where applicable. (Unless other hernia mesh implant is included within the Physiomesh revision surgery record).
 - f. History and physical, operative note and discharge summary from any other abdominal surgeries.

- g. SSDI disability application(s) and any determination regarding disability received from the Social Security Administration, if applicable.
6. Any Plaintiff who fails to fully comply with the Supplemental Disclosures required herein shall be provided notice of such failure by email from Defendants' Counsel and shall be provided 14 additional days to cure such deficiency ("Cure Period") to be calculated from the date of such notice of deficiency.
 7. Other than as set forth above or as further ordered by the Court, *no other extensions will be granted unless agreed to by all parties.*
 8. If a Plaintiff fails to cure the deficiency within the Cure Period, Defendants may file a motion to show good cause why the case should not be subject to a sanctions order from the Court. This motion may be filed without leave of Court and without any need for further efforts to meet-and-confer.
 9. Plaintiffs shall thereafter have 10 days to file a Response to the Motion. Defendants may file a Reply brief within 7 days of Plaintiffs' Response.
 10. The Court **DIRECTS** the Clerk to file a copy of this Order in 1:17-MD-02782-RWS and it shall apply to each related case.

SO ORDERED, this 16th day of Sept, 2019.


RICHARD W. STORY
United States District Judge