

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

IN RE: C.R. BARD, INC., PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO ALL CASES

MDL No. 2187

**PRETRIAL ORDER # 33  
(Changes to Counsel Structure)**

Coordination of MDL 2187 with the additional pelvic mesh MDLs now before this court has necessitated changes to the counsel structure previously established in PTOs #2 and #3. It is hereby **ORDERED** that Derek Potts will join Henry Garrard as Plaintiffs' Co-Lead Counsel in MDL 2187.

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The duties and responsibilities of Plaintiffs' Co-Lead Counsel are enumerated in PTO #3.

Additional appointments are as follows:

**Coordinating Co-Lead Counsel for the Plaintiffs**

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It shall be the responsibility of Coordinating Co-Lead Counsel to work across MDL lines in conjunction with the Executive Committee named below to determine which attorneys are best suited to handle a given task, be it common corporate discovery, expert identification, deposition preparation, motions practice and brief drafting, trial teams and other similar matters that develop as this litigation progresses. Coordinating Co-Lead Counsel will also determine when separate groups from the PSC named below should be designated to work on MDL specific issues that do not cross MDL lines. Coordinating Co-Lead Counsel in conjunction with the Executive Committee will be responsible for coordinating the efforts of the members of the PSC.

**Plaintiffs' Executive Committee**

Bryan F. Aylstock (see contact information above)  
Henry G. Garrard, III (see contact information above)  
Fred Thompson, III (see contact information above)

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It will be the responsibility of the Executive Committee to work in conjunction with Coordinating Co-Lead Counsel to perform the duties outlined above.

### **Plaintiffs' Steering Committee (PSC)**

A singular PSC to coordinate across MDL lines in the four separate pelvic mesh MDLs before this court was recommended and submitted for consideration. The attorneys listed on the attachment to this PTO are **APPOINTED** to the PSC of MDL 2187.

The PSC will have the responsibilities enumerated in PTO #2. The appointment of the PSC is of a personal nature. Accordingly, the above appointees cannot be substituted by other attorneys, including members of the appointee's law firm, to perform the PSC's exclusive functions, such as committee meetings and court appearances, except with prior approval of the court.

### **Plaintiffs' Co-Liaison Counsel**

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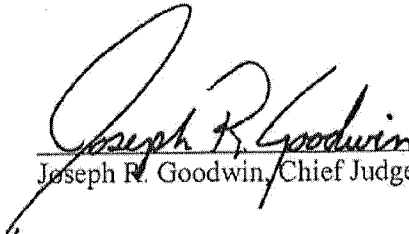
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Plaintiffs' Co-Liaison Counsel will have the responsibilities enumerated in PTO #2.

The Court **DIRECTS** the Clerk to file a copy of this order in 2-10-md-2187 and it shall apply to each member Bard-related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:-12-cv-01185. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. 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.wvsc.uscourts.gov](http://www.wvsc.uscourts.gov).

ENTER: April 18, 2012

  
Joseph R. Goodwin, Chief Judge

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