

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

**CHARLESTON DIVISION**

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,  
PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2325

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THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 38**  
(Order Updating Leadership Counsel Contact Information  
for MDLs 2187, 2325, 2326, 2327 and 2387)

By PTOs entered early on in the five MDLs assigned to me, I appointed various attorneys to leadership positions. Since then, there have been changes to contact information for these attorneys as noted below:

1. I appointed Riley L. Burnett, Jr. as a member of the Plaintiffs' Steering Committee in MDLs 2187, 2325, 2326 and 2327. In MDL 2387, I appointed Mr. Burnett as co-lead plaintiffs' counsel. Mr. Burnett has had a change in firm name and email address as follows:

Riley L. Burnett, Jr.  
Burnett Law Firm  
55 Waugh Drive, Suite 803  
Houston, TX 77007  
832-413-4410 (phone)  
832-900-2120 (fax)  
[rburnett@rburnettlaw.com](mailto:rburnett@rburnettlaw.com)

It is **ORDERED** that the parties use the above revised contact information for Mr.

Burnett. The Clerk is instructed to update the court's website under "Steering Committees, Lead and Liaison Counsel" for Mr. Burnett. Regarding individual member cases, Mr. Burnett has represented that he has filed the necessary Notice of Change of Attorney Information Form in each member case in which he represents a party. The Clerk is instructed to update Mr. Burnett's attorney record.

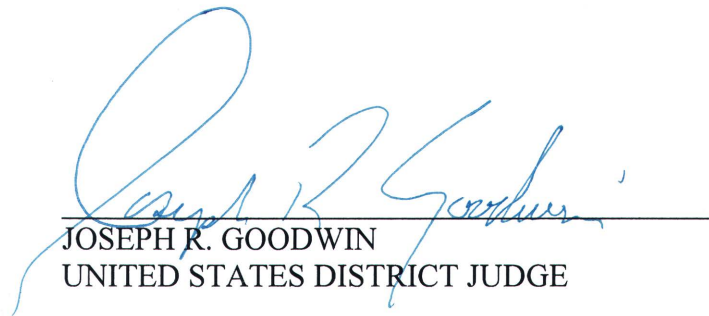
2. I appointed Amy Eskin as a member of the Plaintiffs' Steering Committee in MDLs 2187, 2325, 2326 and 2327. In MDL 2325, I appointed Ms. Eskin as co-lead plaintiffs' counsel. Ms. Eskin has changed firms, and her new address and other contact information are as follows:

Amy Eskin  
Levin Simes LLP  
353 Sacramento Street  
20th Floor  
San Francisco, CA 94111  
415-426-3126 (phone)  
415-426-3001 (fax)  
[aeskin@levinsimes.com](mailto:aeskin@levinsimes.com)

It is **ORDERED** that the parties use the above revised contact information for Ms. Eskin. The Clerk is instructed to update the court's website under "Steering Committees, Lead and Liaison Counsel" for Ms. Eskin. As to Ms. Eskin, it is further **ORDERED** that this PTO is not to be construed as substituting Ms. Eskin and her new firm as counsel of record in the member cases where she appeared with her previous firm, Hersh & Hersh. Ms. Eskin is in the process of determining which plaintiffs she will continue to represent, and which cases will remain with Hersh & Hersh. As those determinations are made, counsel is reminded of the obligation to file a Notice of Change of Attorney Information Form or, where appropriate, a motion to withdraw as counsel (under the court's Local Civil Rule 83.4, no attorney who has entered an appearance in a civil action shall withdraw the appearance, except by order).

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2325 and it shall apply to each member 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 2:13-cv-00811. 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.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: January 22, 2013



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE