

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

CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL No. 2326

THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 18
(Waiver of Service Provisions for Boston Scientific Corporation)**

With the substantial agreement of the parties, the court **ORDERS** that:

1. Subject to the conditions set forth in this Order, Defendant Boston Scientific Corporation (“Boston Scientific”) will waive service of process in cases in which it is named and one or more products either manufactured or distributed by Boston Scientific is alleged to be at issue.

2. For such cases, Plaintiffs shall send the Short Form Complaint, a request for waiver of service pursuant to the provisions of Fed. R. Civ. P. 4, and, if in their possession, a sticker page or other medical record identifying the product(s) at issue in the case by email or U.S. Mail to:

Jon A. Strongman
Shook, Hardy & Bacon L.L.P.
2555 Grand Blvd.
Kansas City, Missouri 64108-2613

or

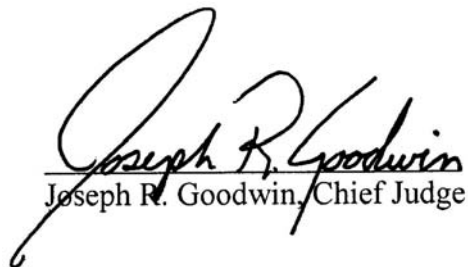
BSCwaiversmesh@shb.com

3. Counsel for Boston Scientific shall return the signed waiver requests to the court within the time permitted by Fed. R. Civ. P. 4.

4. Plaintiffs submitting a request for waiver shall not seek to hold Boston Scientific in default for failure to timely answer a complaint in which service has been accomplished pursuant to the terms of this Order without first giving Boston Scientific written notice of the alleged default and ten business days in which to cure any alleged default.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2326 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 2:12-cv-06251. 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.

ENTER: October 9, 2012


Joseph R. Goodwin, Chief Judge