

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327
THIS DOCUMENT RELATES TO ALL CASES	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**PRETRIAL ORDER # 20
(Waiver of Service for Ethicon, Inc. and Johnson & Johnson)**

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

1. Subject to the conditions set forth in this Order, Defendants Ethicon Inc. and Johnson & Johnson (“Ethicon” and “J&J”) will waive service of process in cases directly filed in MDL 2327 in which they are named and one or more products either manufactured or distributed by Ethicon is alleged to be at issue.

2. For such cases, plaintiffs shall send the short form complaint and, if in their possession, a sticker page or other medical record identifying the product(s) at issue in the case to Robyn Davis:

- a. by email to ewaivers@tcspllc.com; or
- b. by certified mail to P. O. Box 3824, Charleston, WV 35338-3824.

Service will be effective only if accomplished as set forth above, or if accomplished pursuant to the Federal Rules of Civil Procedure.

3. Counsel for Ethicon and J&J shall acknowledge receipt of the short form complaint by filing a Notice of Appearance within 30 days of receipt.

4. By accepting service pursuant to Paragraph 2 above, Defendants do not waive any claims, affirmative defenses or other defenses of any nature whatsoever except for those relating to service of process. If service is otherwise perfected under the Federal Rules of Civil Procedure, Defendants do not waive any claims, defenses or other defenses of any nature whatsoever, including those related to service of process.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2327 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-6986. 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 29, 2012


Joseph R. Goodwin, Chief Judge