

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

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IN RE: KUGEL MESH HERNIA PATCH)	MDL Docket No. 07-1842-ML
PRODUCT LIABILITY LITIGATION)	
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THIS DOCUMENT RELATES TO ALL)	JUDGE LISI
CASES)	

~~PROPOSED~~ ORDER AMENDING THE AMENDED CASE MANAGEMENT ORDER

This Order to Amend Plaintiff Fact Sheets (“Order”) shall apply to every case that is currently part of the MDL proceeding as of the date of this Order and to all subsequently filed cases that become part of this MDL proceeding.

1. The description of “material deficiency” in Section VI.D.iv (2) is hereby revised to include the following language: “and/or that the response in the Plaintiff Fact Sheet fails to indicate that the patch(es) at issue has/have been explanted and/or the plaintiff(s) has suffered a physical injury”.
2. The deadlines specified in Section VI.D.iv-v (Discovery – Plaintiff Fact Sheets) in the Amended Case Management Order (docket # 257) that are applicable to Defendants are hereby amended and reset such that Defendants may provide, within 30 days of this Order, deficiency letters to those plaintiffs for whom Defendants’ records indicate no Plaintiff Fact Sheet has been received and/or who have previously submitted timely Plaintiff Fact Sheets that contain a “material deficiency,” consistent with the amendment in the prior paragraph of this Order.
3. All of the remaining deadlines and terms identified in Section VI.D (Discovery – Plaintiff Fact Sheets) of the Amended Case Management Order (docket # 257) shall still apply.

IT IS SO ORDERED.

Date: April 18, 2011 Orange On Rice usds