

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

IN RE: KUGEL MESH HERNIA PATCH LITIGATION  
This document relates to all actions.

MDL DOCKET NO. 07-1842-ML

~~PROPOSED~~ PRACTICE AND PROCEDURE ORDER NUMBER 11

This matter came before the Court on June 17, 2008 for a status conference. The Court considered items listed on the Meeting Agenda (Docket #1109). The Court now makes the following orders:

1. **Plaintiffs' Proposed Cases for ADR.** On or before July 3, 2008, Plaintiffs shall identify no more than ten (10) non-ring break product failure cases that Plaintiffs contend would be appropriate for ADR. Plaintiffs shall provide along with the identification of these cases a detailed description of the nature of the failure alleged in each case and the reason for inclusion of that case into this group of cases for ADR as "representative" of a significant number of cases in the litigation. Plaintiffs and Defendants shall be prepared to discuss the appropriateness of the proposed designation of these cases for ADR at the next status conference.

2. **Deposition Attorney List.** Plaintiffs' liaison counsel and lead defense counsel shall submit to the Court a list of attorneys, with firm names, who may be participating in MDL depositions. These lists shall be submitted informally as letters, shall not be filed, and updated as needed.

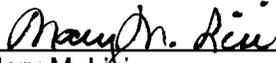
3. **List of Ring Break Cases.** Prior to the July 17, 2008 conference, Plaintiffs' liaison counsel shall make best efforts to provide Defendants' lead counsel with a list of MDL-1842 cases which plaintiffs' counsel contend involves product failures including a break in the memory recoil ring of the applicable product.

4. **Proposed Agenda Items and Pending Motions List.** In consultation with lead defense counsel, plaintiffs' liaison counsel shall submit to the Court a list of proposed agenda items and a

current list and status of all motions on or before July 9, 2008. The Court will publish the agenda on or before July 11, 2008.

5. **Next Meeting.** The Court will meet with lead plaintiffs' counsel and defendants' counsel on July 15, 2008 at 1:00 p.m. in Room 307 of the United States Courthouse, One Exchange Terrace, Providence, RI.

SO ORDERED:

  
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Mary M. Lisi  
Chief United States District Judge  
June ~~30~~, 2008