

**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 12**

This matter came before the Court on July 15, 2008 for a status conference. The Court considered items listed on the Meeting Agenda (Docket #1206). The Court now makes the following orders:

1. **Document Production Status Conferences.** Plaintiffs' and Defendants' counsel shall meet with Magistrate Judge Almond every two weeks regarding the status of document production. If counsel on both sides agree that a status meeting is unnecessary, they need not appear, but need only file a report notifying the Court that the meeting is not required. If document production is not satisfactory, the Court will set a deadline for completion of document production.

2. **Master Document Production.** On or before August 5, 2008, Defendants shall inform the Court and Plaintiffs' Liaison Counsel of the total number of documents provided to its discovery vendor and the date by which the vendor will have completed the term search on those documents.

3. **Proposed Non-Ring Break Product Failure Cases for ADR.** Defendants shall be prepared to respond to Plaintiffs' suggestion that ten proposed cases be scheduled for mediation at the status conference on August 5, 2008. So that Defendants can be prepared to discuss the cases that Plaintiffs propose for ADR, Plaintiffs will immediately provide Plaintiff Fact Sheets for the proposed cases in which they have not already done so and will cure any deficiencies of which they have been advised by Defendants for those cases. Plaintiffs will immediately provide any medical records in their possession not already provided to Defendants for those cases. Plaintiffs shall provide a detailed description of the nature of the failure alleged in each case and the reason

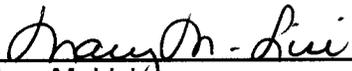
for inclusion of that case into this group of cases for ADR as "representative" of a significant number of cases in the litigation.

4. **ECF Issues.** Notices of appearance and substitution of counsel shall be docketed in the individual cases. Notices of withdrawal of counsel shall be filed in the main MDL docket.

5. **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 30, 2008. The Court will publish the agenda on or before August 1, 2008.

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

SO ORDERED:

  
\_\_\_\_\_  
Mary M. Lisi  
Chief United States District Judge  
July 25, 2008