

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

IN RE: KUGEL MESH HERNIA PATCH LITIGATION
As it relates to all cases.

MDL DOCKET NO. 07-1842 ML

ORDER

This matter is before the Court on Defendants' Objection to a Report and Recommendation issued by Magistrate Judge Almond on November 21, 2007. This Court has reviewed the Report and Recommendation, Defendants' Objection, and plaintiffs' reply. The Court now makes the following order:

1. This Court adopts and approves for use in this litigation the Plaintiff Fact Sheet (PFS) agreed to by the parties.
2. This Court adopts in principal Magistrate Judge Almond's recommendation.
3. The parties shall use the following language for questions VIII B on the PFS:

Are you claiming that the "memory recoil ring" in your Composix Kugel Hernia Patch failed?

Yes _____

No _____

I don't know _____

- (1.) If you answered "I don't know":

Please explain what information you *do* have, if any, suggesting that the ring failed, and provide the specific circumstances which prevent you from answering yes or no at this time.

(2.) If you answered "Yes":

Are you claiming that the "memory recoil ring" in your Composix Kugel Hernia Patch broke?

Yes _____

No _____

I don't know _____

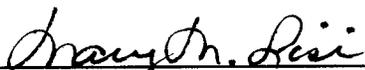
a. If you answered "Yes":

Please provide the specific details about how you came upon this "ring break" knowledge, including who informed you of this, how you were informed and approximately when you were told this (please do not detail any information you received from your attorneys, their offices, or any experts they have retained on your behalf).

b. If you answered "I don't know":

Please explain what information you do have, if any, suggesting that the ring broke, and provide the specific circumstances which prevent you from answering yes or no at this time."

SO ORDERED:



Mary M. Lisi
Chief United States District Judge
December 3, 2007