



**NIGH GOLDENBERG  
RASO & VAUGHN**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION**

**Case No.: 2:18-md-2846**

**JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson**

**This document relates to:  
ALL CASES**

**CASE MANAGEMENT ORDER NO. 52**

Pursuant to agreement by the Plaintiff Steering Committee and Defendants C. R. Bard, Inc. and Davol, Inc., it is **ORDERED** that all cases filed in or transferred to MDL 2846 before the date of this Order are and will be subject to a limited **STAY** under the following terms pending further notice by the Court, including the issuance of orders that may lift or adjust the limited stay as to one or more cases while leaving it in place as to other cases. Cases filed after the date of this Order will not be subject to the stay. During the pendency of this limited stay, the parties may not take any discovery, file any motion, or seek any relief, pretrial, or trial setting, or remand except as provided in the Docket Control Order, Case Management Order No. 53, or in this Order. During the pendency of this limited stay, there is no obligation for parties in affected cases to serve Plaintiff Profile Forms or Defense Profile Forms as provided in prior Orders; the parties' obligations under the Federal Rules of Civil Procedure, Local Rules, and prior Orders related to pleadings, including filing of Short Form Complaints, service of process, amendment of pleadings, substitution of parties, and the preservation of pathology materials and case-specific records are not affected by this Order.

The stay may be lifted as to one or more cases at the request of Defendants as outlined in this Order in the following paragraph. Defendants must promptly file an individualized notice in a case in which the stay should be lifted. The notice should not be filed on the main MDL 2846 docket. The PSC or individual plaintiff counsel may also seek leave of the Court to lift a stay based upon special circumstances or good cause.

The Court anticipates that the stay will be lifted in cases in which the plaintiffs opt out of the Master Settlement Agreement. Upon receipt of an opt-out notice, Defendants must promptly file an individualized notice in that case. Notices identifying multiple cases to be unstayed, or notices filed on the main MDL 2846 docket, will not be accepted by the Court. The Court hereby **ORDERS** that upon receipt of a properly-filed notice by Defendants, the stay will automatically be lifted in that case pursuant to this Order. The Court will not file an Order lifting the stay in that individual case.

**SO ORDERED** this 6th day of July 2024.

s/Edmund A. Sargus, Jr.

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**EDMUND A. SARGUS, JR.**  
**United States District Judge**