

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: C. R. BARD, INC. PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL NO. 2187

THIS DOCUMENT RELATES TO THE CASE(S) LISTED
ON THE EXHIBIT ATTACHED HERETO:

**JOINT MOTION TO DISMISS CERTAIN DEFENDANTS WITH PREJUDICE
AND PLAINTIFFS' MOTION TO TRANSFER MDLS**

Plaintiffs in the cases listed on the attached Exhibits A through F and Defendants Sofradim Production SAS,¹ Tissue Science Laboratories Limited,² and Covidien LP³ (collectively the “Covidien entities”) and C. R. Bard, Inc., to the extent they are named as Defendants, advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, they jointly move the court to dismiss Bard and the Covidien entities as Defendants in these actions with prejudice, each party to bear its own costs.⁴

¹ Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

² Tissue Science Laboratories Limited includes any incorrect or incomplete spellings of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

³ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., Medtronic Sofamor Danek, USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

⁴ The parties jointly move to dismiss Bard and the Covidien entities with prejudice and terminate them from the Court’s docket in these matters; the signatures for Bard and the Covidien entities on this motion relate only to the joint motion. The motion to transfer is made only by the Plaintiffs.

Other Defendants, including AMS, remain in these actions, and Plaintiffs will continue to prosecute these actions against them. To that end, Amended Short Form Complaints have been or will be filed against the remaining Defendants. Further, Plaintiffs move to transfer these actions from MDL 2187, In re: C. R. Bard Inc., Pelvic Repair System Products Liability Litigation to: In Re American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation, MDL 2325. Plaintiffs herein filed Complaints or Short Form Complaints in MDL 2187 against Bard, the Covidien entities, and others. Within fourteen (14) days of filing of this motion, Plaintiffs will file Amended Short Form Complaints that no longer include Bard and the Covidien entities as named Defendants. Because Bard and the Covidien entities are no longer named Defendants in these cases, Plaintiffs respectfully request that the Court: 1) GRANT the Plaintiffs' motion to transfer these actions from MDL 2187 to MDL 2325; and 2) direct the Clerk to disassociate these civil actions as member cases in MDL 2187 and re-associate them with MDL 2325.

Respectfully submitted this 19th day of June, 2017.

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EXHIBIT A – BROWN & BROWN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-cv-01019	Weiss, Darlene

EXHIBIT B – CHILDERS SCHLUETER & SMITH

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-26959	Williams, Deborah and Wick

EXHIBIT C – THE MAHER LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-19572	Murray, Joan and James

EXHIBIT D – THE MOODY LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-07642	Dinkins, Danette and Jerry

EXHIBIT E – SANDERS VIENER GROSSMAN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-05628	Martin, Cynthia and David
2:13-cv-07725	Brady, Carla
2:13-cv-28191	James, Karen

EXHIBIT F – WATERS & KRAUS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-15621	Howland, Keitha
2:14-cv-05550	Castillo, Dorothy

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

By: /s/ Micah L Hobbs
Micah L. Hobbs
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