

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE: COVIDIEN HERNIA MESH
PRODUCTS LIABILITY LITIGATION
NO. II,**

This Document Relates To:

All Cases

MDL No. 1:22-md-03029-PBS

CASE MANAGEMENT ORDER NO. 9
(Science Day)


On June 14, 2023, the Court will hold and counsel for the parties will present a Science Day to provide the Court with an overview of certain medical and scientific issues associated with hernia repair, hernia mesh, and the injuries alleged by Plaintiffs in an objective format without advocacy. Given the early stage of the litigation and to avoid duplication in presentation, the Parties have agreed to the following format:

1. The topics to be discussed may include: (1) hernias and hernia repair surgery; (2) the hernia mesh products at issue; (3) regulatory background; (4) design features of hernia mesh products; (5) the injuries alleged by Plaintiffs; and (6) pertinent medical and scientific terminology.
2. The presentations will be transcribed by the Court's reporter for the Court's use only, with costs of same to be split by the Parties.
3. The presentations will be made by the Parties' counsel. No witnesses, expert, fact, or otherwise will be called.
4. The Parties' counsel may incorporate the use of PowerPoints and demonstrative aids, which may be provided to the Court upon the conclusion of Science Day.
5. Neither the transcript, nor any PowerPoints or other demonstrative aids, shall be discoverable, admissible, used in any fashion for impeachment purposes or for collateral attack on

any Party's case, shared beyond the instant litigation, or used for any purpose other than for this Court's educational benefit.

6. The Plaintiffs' Steering Committee will have 2 hours and the Defendants will have 2 hours for their respective presentations and any questions from the Court.

SO ORDERED.

 5/11/2023
Hon. Patti B. Saris
United States District Judge