

FILED

Case MDL No. 1842 Document 560 Filed 12/27/11 Page 1 of 2

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

DEC 27 2011

**U.S. DISTRICT COURT
DISTRICT OF R.I.**

**IN RE: KUGEL MESH HERNIA PATCH
PRODUCTS LIABILITY LITIGATION**

MDL No. 1842

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-121)
AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS**

On June 22, 2007, the Panel transferred 12 civil action(s) to the United States District Court for the District of Rhode Island for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. See 493 F.Supp.2d 1371 (J.P.M.L. 2007). Since that time, 1,807 additional action(s) have been transferred to the District of Rhode Island. With the consent of that court, all such actions have been assigned to the Honorable Mary M Lisi.

It appears that the action on this conditional transfer order comprises claims relating to: (1) allegations of defects in a hernia repair product manufactured, sold and/or distributed by C.R. Bard, Inc. (Bard) and Davol, Inc. (Daval) which involve questions of fact that are common to the previously transferred MDL No. 1842 actions; and (2) allegations of defects in a product manufactured, sold and/or distributed by unrelated defendant W.L. Gore Associates, Inc. (Gore) which do not involve such common questions of fact.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of Rhode Island for the reasons stated in the order of June 22, 2007, and, with the consent of that court, assigned to the Honorable Mary M Lisi. All claims against Gore, which do not relate to defects in a hernia repair product manufactured, sold and/or distributed by Bard and Davol, are separated and simultaneously remanded to the Northern District of California.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Rhode Island. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

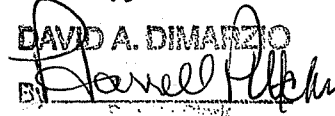
Inasmuch as no objection is pending at this time, the stay is lifted.
Dec 27, 2011
CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Attest to
True Copy

DAVID A. DIMARZIO


**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: KUGEL MESH HERNIA PATCH
PRODUCTS LIABILITY LITIGATION**

MDL No. 1842

SCHEDULE A

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>	
CALIFORNIA NORTHERN				
CAN	3	11-05308	Casanave v. C.R. Bard, Inc. et al	CA 11-3668