UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

IN RE: ETHICON, INC., POWER MORCELLATOR PRODUCTS LIABILITY LITIGATION	)	**MDL No. 2652**
	)	**Case No. 2:15-md-2652**
(This Document Relates to All Cases)	)	

DEFENDANTS' REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF

Pursuant to Rule 26 and Rule 34 of the Federal Rules of Civil Procedure and Paragraph 5 of Scheduling Order No. 1, Defendants Ethicon, Inc., and its affiliates (collectively, "Ethicon"), by and through its undersigned attorneys, hereby requests that Plaintiff, produce the documents and tangible things described herein, to the attention of Debbie Moeller, Esq. at the offices of Shook, Hardy, and Bacon L.L.P., 2555 Grand Blvd., Kansas City, MO 64108, within 30 days of service hereof.

Responses to these Requests shall be signed affirming that, to the best of the signatory's knowledge, information, and belief formed after a reasonable inquiry, that the signatory has completed his/her document production.

REQUESTS FOR PRODUCTION

1. Any packaging, warnings, instructions, advertising materials, pamphlets, articles, handouts, promotional materials, documents, records, correspondence, memoranda or other information you have with respect to the Product(s) used during the surgical procedure at issue in this lawsuit (the "procedure" or the "product").

2. Documents, excluding medical records previously produced, that evidence the use of any morcellator during the Procedure(s).

3. Documents excluding medical records previously produced, that identify the manufacturer, batch number, lot number and serial number of all morcellators used during the Procedure(s).

4. Documents that relate, refer, or pertain to statements made by any agents, representatives, employees or former employees of any Defendant concerning the subject matter of this lawsuit, the Procedure(s), or the Product(s).

5. Documents that relate, refer, or pertain to communications between you and any Defendant or any alleged agent, employee or representative of any Defendant .

6. Documents that relate, refer, or pertain to communications between you or your agents and any medical society or its member physicians, including but not limited to the American Congress of Obstetricians and Gynecologists (ACOG) and/or the American Association of Gynecologic Laparoscopists (AAGL).

7. Documents, excluding medical records previously produced, that relate, refer, or pertain to hospitalizations which relate in any manner to the diagnosis, care, treatment, or management of Plaintiff's condition which required the use of the Product(s) at issue and the injuries or damages for which recovery is or may be sought in this lawsuit.

8. Documents that relate, refer, or pertain to payments of medical expenses made by any source, including without limitations Medicare or any insurance company, as a result of the injuries alleged which you are seeking or may seek to recover in this lawsuit.

9. All diaries, journals or notes prepared by you or any of your representatives (other than your attorney) concerning the Product(s) or the alleged injuries.

10. If you claim past or future loss of income in relation to the claims asserted in this litigation, all federal and state income tax returns with W-2's for five years prior to the Procedure(s) through to the present.

11. If you have responded pursuant to Paragraph 3(i) of Scheduling Order No. 1, documents that relate, refer, or pertain to inspections, examinations or tests conducted by you or your agents, representatives or experts on the product.

12. Aside from documents produced in this litigation by any Defendant, documents that relate, refer, or pertain to each express warranty that you claim any Defendant made with respect to the Product(s).

13. Aside from documents produced in this litigation by any Defendant, documents that relate, refer, or pertain to each implied warranty that you claim any Defendant made with respect to the Product(s).

14. Aside from documents produced in this litigation by any Defendant, documents that relate, refer, or pertain to each unfair trade practice that you claim any Defendant made with respect to the Product(s).

15. Documents, excluding medical records previously produced, that relate, refer, or pertain to the date on which Plaintiff learned that her alleged injuries were connected to the use of a power morcellator.

16. All documents relating to Ethicon obtained by Plaintiffs for the purposes of this litigation from any federal, state, or local governmental or regulatory body in the United States, including but not limited to documents obtained pursuant to any Freedom of Information Act Request(s) made to the United States Food and Drug Administration.

17. All documents created by Ethicon which have been obtained by Plaintiffs for purposes of morcellator litigation from any source other than from any federal, state, or local governmental or regulatory body in the United States, and excluding any documents produced by Ethicon in discovery related to the subject matter of this litigation.

18. All communications obtained by Plaintiffs from any employee, agent, officer, or director of Ethicon.

19. All documents concerning any contacts with any industry groups or medical societies, including but not limited to AAGL and/or ACOG, but excluding any contact with individual member physicians for expert work product purposes.

20. [Social media request subject to ongoing negotiation. The parties will substitute this request prior to February 10, 2016 conference.]