

D. N.: CV-14-6025333-S : **SUPERIOR COURT: CLD**
ROBIN SHERWOOD, et al : **J.D. OF WATERBURY**
V. : **AT WATERBURY**
STAMFORD HEALTH SYSTEM, INC.
D/B/A STAMFORD HOSPITAL : **AUGUST 31, 2016**

DISCLOSURE OF EXPERT WITNESSES (RETAINED)

The Plaintiffs, *Robin Sherwood and Greg Hoelscher*, in accordance with the provisions of Connecticut Practice Book §13-4, discloses that they expect the following expert witnesses to testify at the trial of this case:

1. Richard Bercik, M.D. Yale Urogynecology and Reconstructive Pelvic Surgery, 800 Howard Ave. 3rd Floor, New Haven, CT 06519. Dr. Bercik is board certified in female pelvic medicine and reconstructive surgery. Dr. Bercik is expected to testify and offer opinions based on his education, knowledge, training and experience with polypropylene mesh, as well as his treatment of Plaintiff and review of her medical records and scientific and medical literature.

Dr. Bercik will testify regarding the defective nature of the Johnson & Johnson polypropylene mesh. The defective nature of the mesh includes mesh shrinkage and contraction, scar plate formation, fibrotic bridging, degradation, its propensity to cause chronic inflammation and foreign body reaction, inflammatory response and the propensity of the mesh to cause injuries. Dr.

Bercik will further testify as to the cause and permanency of Plaintiff's injuries, and safer alternatives to Defendants' polypropylene mesh products.

Dr. Bercik is expected to testify regarding the lack of and/or inadequate warnings by Johnson & Johnson and its failure to warn physicians and consumers, including Plaintiffs, of the dangerous propensities of the polypropylene mesh. It is further expected that Dr. Bercik will testify as to the claims set forth in the Plaintiff's Complaint and/or Amended Complaint. In addition, testimony may be proffered on the treatment rendered to the Plaintiff to date and the need for future treatment. Furthermore, Dr. Bercik may testify as to the permanency of the injuries, its resulting disability, the effect upon the lifestyle of the Plaintiff and the limitation of activities suffered by the Plaintiff.

Dr. Bercik may further testify regarding the complications experienced by women, including the Plaintiff, that were never disclosed to the doctors or patients by Ethicon. These undisclosed complications include, the numerosity of the adverse outcomes, the severity of those complications, and the duration of complications. Dr. Bercik may testify that the complication rates exceed those described by Ethicon and that the known complications are more severe than represented or disclosed by Ethicon.

It is further expected that Dr. Bercik will testify as to the claims set forth in the Plaintiffs' Complaint and/or Amended Complaint. In addition, testimony may

be proffered on the treatment rendered to the Plaintiff to date and the need for future treatment.

Dr. Bercik may also rebut or reply to additional opinions or claims put forth by any experts the Defendants may disclose.

The Plaintiff anticipates introducing his office notes, reports and records regarding his treatment of the Plaintiff.

It is expected that Dr. Bercik will testify based upon his education, knowledge, training and experience and based upon the history, examinations and treatment of the Plaintiff and a review of the medical, radiological, pathological, hospital and diagnostic records of the Plaintiff as well as documents produced by Ethicon. Dr. Bercik may utilize medical charts, diagrams, models and/or illustrations as demonstrative evidence during the trial.

Plaintiffs reserve the right to supplement this expert disclosure based upon any new information that may become available after this expert disclosure is made.

This disclosure is intended to supplement, not replace, any previous disclosures of expert witnesses.

2. Richard W. Trepeta, M.D. , Pathology Associates, LTD., 10645 N. Tatum Blvd. Suite C200 PMB#664 Phoenix, AZ 85028. Dr. Trepeta is a board certified pathologist expected to testify and offer opinions based on his education,

knowledge, training, experience and review of medical and scientific literature as well as his review of Plaintiff's medical records, photographs and tissue and/or polypropylene mesh samples. Dr. Trepeta is expected specifically to testify and offer opinions regarding his analysis of pathology specimens, the condition and properties of the mesh and the cause of Plaintiff's injuries, product defect, causation and damages.

Dr. Trepeta may testify regarding pathology and human body interaction with the mesh implants such as those at issue in this case. Dr. Trepeta may offer testimony regarding a review and examination of available pathology slides and/or gross mesh samples, the Plaintiff's medical records and specifically, the pathology consultation reports and operative reports related to the mesh extraction(s).

Dr. Trepeta may further testify regarding the defective nature of polypropylene mesh. The defective nature of the mesh includes mesh shrinkage and contraction, scar plate formation, fibrotic bridging, degradation, architectural distortion, bio-incompatibility with humans in its intended use, its propensity to cause chronic inflammation and foreign body reaction, inflammatory response, additional scarring from removal of the mesh and the propensity of the mesh to cause injuries. Dr. Trepeta will further testify as to the cause and permanency of

Plaintiff's injuries. Dr. Trepeta is expected to testify that the defendant's polypropylene mesh is unsuitable in this application in humans.

Dr. Trepeta may also rebut or reply to additional opinions or claims put forth by any experts the Defendants may disclose.

It is expected that Dr. Trepeta will testify based upon his education, knowledge, training and experience and based upon the history, examinations and treatment of the Plaintiff and a review of Plaintiff's medical records, photographs and tissue and/or polypropylene mesh samples medical records of the Plaintiff as well as documents produced by Ethicon. Dr. Trepeta may utilize medical charts, diagrams, models and/or illustrations as demonstrative evidence during the trial.

Plaintiffs reserve the right to supplement this expert disclosure based upon any new information that may become available after this expert disclosure is made.

It is further expected that Dr. Trepeta will testify as to the claims set forth in the Plaintiffs' Complaint and/or Amended Complaint. In addition, testimony may be proffered on the treatment rendered to the Plaintiff to date and the need for future treatment.

This disclosure is intended to supplement, not replace, any previous disclosures of expert witnesses.

Plaintiffs reserve the right to supplement this expert disclosure based upon any new information that may become available after this expert disclosure is made.

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Plaintiffs reserve the right to call any expert disclosed by or against any other party and thereafter deposed or testified at any trial proceeding in any pelvic mesh case in which they are a party to. Plaintiffs also reserve the right to call additional, undesignated expert witnesses as allowed by law and in particular, any of Plaintiff's medical providers. Plaintiffs further reserve the right to supplement the above list should another party disclose experts in areas other than those covered by the above individuals.

THE PLAINTIFFS,

BY: /s/ Jacqueline E. Fusco

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CERTIFICATION

This is to certify that a copy of the foregoing was Emailed this date, to all counsel of record.

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