

APPLICATION FOR REFERRAL OF CASE TO THE COMPLEX LITIGATION DOCKET (CLD)

JD-CV-39 Rev. 4-13
Pr. Bk. Sec. 23-15, C.G.S. §§ 51-347b, 52-259

STATE OF CONNECTICUT SUPERIOR COURT - CIVIL DIVISION

www.jud.ct.gov

COURT USE ONLY

CLDAPP



Instructions

1. Counsel and self-represented parties seeking to have a case referred to the Complex Litigation Docket (CLD) must supply all of the information requested below. (Failure to supply complete and accurate information may disqualify a case.)
2. This application must be accompanied by the appropriate fee (Section 52-259 of the Connecticut General Statutes).
3. Information that does not fit on this form should be attached on a separate sheet, numbered to correspond to the questions on the form.
4. Attorneys not excluded from e-filing must e-file this form and select "Complex Litigation Application" when naming the form in e-filing. Attorneys excluded from e-filing and self-represented parties must file the original with the appropriate fee with the Clerk in the judicial district in which the case is pending.

Note: Any objection to the transfer of this case to the CLD must be filed within 15 calendar days after the filing of this application. Attorneys not excluded from e-filing must select "Objection to Transfer to Complex Litigation" when naming the objection in e-filing. Attorneys excluded from e-filing and self-represented parties must file the objection with the Clerk in the judicial district in which the case is pending and must title it "Objection to Transfer to the Complex Litigation Docket."

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

I submit this application for the Court's consideration.

Name and address of applicant TOOHER, WOCL & LEYDON, LLC	Juris number 106151	Telephone number 203-324-6164
1. Case name (Plaintiff v. Defendant) ROBIN SHERWOOD ET AL V STAMFORD HOSPITAL	2. Docket number FST-CV14-6023180-S	
3. Judicial District in which case is pending JUDICIAL DISTRICT OF STAMFORD/NORWALK AT STAMFORD	4. Return date of original complaint 09/16/2014	

5. List all plaintiffs and their counsel:

Plaintiff's name	Counsel's name and address	Counsel's phone #
ROBIN SHERWOOD	BRENDEN P. LEYDON, TOOHER, WOCL & LEYDON, LLC	203-324-6164
GREG HOELSCHER	80 FOURTH STREET	
	STAMFORD, CT 06905 - bleydon@toohewocl.com	

6. List all defendants and their counsel:

Defendant's name	Counsel's name and address	Counsel's phone #
STAMFORD HEALTH SYSTEM D/B/A	ERIC J. STOCKMAN, NEUBERT, PEPE & MONTEITH, PC	203-821-2000
STAMFORD HOSPITAL	195 CHURCH ST. 13TH FLOOR	
	NEW HAVEN, CT 06510 - ESTOCKMAN@NPMLAW.COM	

7. Indicate whether opposing counsel opposes:

- | | | |
|--|-------------------------------------|--------------------------|
| | Yes | No |
| a. referral to the CLD..... | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. transfer to the CLD location requested on this application... | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

8. Briefly describe the nature of the case: (products liability, anti-trust, stockholders' action, UCC, etc.)

THIS IS A COMPLEX PRODUCTS LIABILITY CASE INVOLVING TRANSVAGINAL MESH. THE PRODUCT AT ISSUE IS THE SUBJECT OF NUMEROUS LAWSUITS AROUND THE COUNTRY AND IN CONNECTICUT.

9. List any cases with which this case is consolidated:

(Note: In order to apply for CLD in unconsolidated but related cases, a separate application with fee is required for each case.)

Case name (Plaintiff v. Defendant)	Docket number	Judicial District

10. Indicate the status of the litigation:

- | | | |
|--|--------------------------|-------------------------------------|
| | Yes | No |
| a. pleadings closed..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. discovery completed..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. file sealed (partial/entire)..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. scheduled for trial — if so, when _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. pretrial held..... (Date) _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. trial management conference held..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

(Continued...)

	Yes	No	Not yet determined
g. claimed for jury trial.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. claimed for bench trial.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. class action status sought.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. Has a request or application to refer this case to the Complex Litigation Docket previously been denied? Yes No

12. What is the estimated length of trial (in days)? 21 days

13. Why should this case be referred to the CLD ?

THIS IS A COMPLEX TRANSVAGINAL MESH CASE WHICH WILL REQUIRE MULTIPLE EXPERTS. THERE ARE TWO OTHER CASES CURRENTLY PENDING BEFORE JUDGE AGATI IN WATERBURY INVOLVING THE SAME TYPE PRODUCT AND DEFENDANT STAMFORD HOSPITAL. STAMFORD HOSPITAL AGREED TO TRANSFER THE OTHER TWO CASES TO CLD, BUT IS REFUSING HERE IN AN ATTEMPT TO JUDGE SHOP TO OBTAIN BETTER RULINGS. IT IS PLAINTIFFS' UNDERSTANDING THAT ALL OTHER TRANSVAGINAL MESH CASES CURRENTLY PENDING IN CONNECTICUT ARE BEFORE JUDGE AGATI IN WATERBURY.

14. Which CLD location is requested? (Enter order of preference.)

 Hartford Stamford 1 Waterbury

Certification

I certify that a copy of this document was mailed or delivered electronically or non-electronically on (date) 9/26/14 to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

Name and address of each party and attorney that copy was mailed or delivered to*

**ERIC J. STOCKMAN, ESG.
NEUBERT, PEPE & MONTEITH, PC
195 CHURCH STREET, 13TH FLOOR
NEW HAVEN, CT 06510 - ESTOCKMAN@NPMLAW.COM**

*If necessary, attach additional sheet or sheets with name and address which the copy was mailed or delivered to.		
Signed (Signature of filer) 	Print or type name of person signing JACQUELINE E. FUSCO	Date signed 09/26/2014
Mailing address (Number, street, town, state and zip code) 80 FOURTH STREET STAMFORD CT, 06905	Telephone number 203-324-6164	