

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**IN RE: BIOZORB DEVICE PRODUCTS
LIABILITY LITIGATION**

This Document Relates to: Plaintiff Beth Deuel in Case No. 1:23-cv-10579; Plaintiffs Cynthia Kresch and Kimberly Taylor in Case No. 1:23-cv-10260; and Plaintiff Pamela Gibson in Case No. 1:23-cv-10599

Case No. 1:22-cv-11895-ADB

**DEFENDANT HOLOGIC, INC.'S MOTION TO EXCLUDE OPINIONS OF
PLAINTIFFS' EXPERT DR. NIAMEY WILSON**

ORAL ARGUMENT REQUESTED

Pursuant to Local Rule 7.1, Rule 702 of the Federal Rules of Evidence, and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), Defendant Hologic, Inc. ("Hologic") hereby moves the Court for an order excluding certain testimony of Plaintiffs' expert witness, Dr. Niamey Wilson. Hologic's motion is made on the grounds that: (a) Dr. Wilson's general causation analysis is not based on any accepted or reliable methodology; (b) Dr. Wilson's differential diagnosis analysis used to evaluate specific causation for Plaintiffs Kimberly Taylor and Beth Deuel is unreliable; and (c) Dr. Wilson should be excluded from offering opinions about Hologic's marketing of the BioZorb and Hologic internal documents. The grounds for this Motion are set forth more fully in the accompanying Memorandum.

In accordance with L.R. 7.1(a)(2), Hologic's counsel met and conferred with Plaintiffs' counsel prior to filing this Motion, but was unable to resolve or narrow the dispute.

Respectfully submitted,

June 13, 2025

HOLOGIC, INC.,
By its attorney,

/s/ Daniel P. Tighe

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LOCAL RULE 7.1 CERTIFICATION

In accordance with the requirements of Local Rule 7.1(a)(2), I hereby certify that counsel for the Defendant conferred with Plaintiffs' counsel regarding this motion, but was not able to reach any agreement on this motion.

/s/ Daniel P. Tighe
Daniel P. Tighe

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non-registered participants on June 13, 2025.

/s/ Pietro A. Conte

Pietro A. Conte