

FILED

NOV 19 2014

BRIAN R. MARTINOTTI
J.S.C.

IN RE DEPUY ASR™
HIP IMPLANTS LITIGATION

:
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: BERGEN COUNTY
:
: CASE CODE 293
: MASTER DOCKET NO: BER-L-3971-11

:
:
: CIVIL ACTION

This Document Relates to:
All Actions on Appendix A

:
:
: **CONSENT ORDER**
: **EXTENDING DEADLINE OF AUGUST 7,**
: **2014 ORDER**

THIS MATTER having been assigned to the Honorable Brian R. Martinotti, J.S.C. pursuant to the Supreme Court’s Order of April 12, 2011 ordering centralized case management of DePuy ASR™ Hip Implants, (hereinafter referred to as “DePuy”),

Whereas, on August 7, 2014, the Court entered an Order of dismissal for the claims of the plaintiffs in the process of being resolved pursuant to the Settlement Agreement;

Whereas, the parties consented and stipulated to the dismissal of these plaintiffs’ cases at that time without prejudice;

Whereas, on October 6, 2014, 60 days from the date of entry of the Order, the dismissals of the cases identified in the Order were to convert to dismissals with prejudice;

Whereas, on October 1, 2014, the Court entered an Order extending the deadline on which cases would convert to dismissal with prejudice;

Whereas, Section 13.3 of the Settlement Agreement holds that:

The Claims Processor shall retain control of the Release and Dismissal With Prejudice Stipulation of any particular U.S. Program

Claimant until such time as (a) DePuy's Walk Away Right shall have expired without DePuy exercising any such Walk Away Right, and (b) such Claimant's PART A Base Award has been funded to the appropriate Escrow Account pursuant to the Escrow Agreement, at which time such Dismissal With Prejudice Stipulation and such Enrolled Program Claimant's Release shall be delivered to DePuy (and, without limitation, DePuy shall be free to file or cause to be filed such Dismissal With Prejudice Stipulation and/or Release in any relevant action or proceeding). And for good cause shown, the following Order is hereby entered:

And for good cause shown,

IT IS on this ____ day of September 2014,

ORDERED that the November 15, 2014 date upon which dismissals of cases identified in Appendix A, attached hereto, is hereby extended to January 15, 2015, at which time all cases identified in Appendix A will convert to dismissals with prejudice.



BRIAN R. MARTINOTTI, J.S.C.

APPENDIX A
Dismissal of Plaintiffs' Claims Without Prejudice

IN RE DEPUY ASR HIP IMPLANTS LITIGATION
MASTER DOCKET NO: BER-L-3971-11

No.	Case Name	Plaintiff Name	Docket No.
1.	Belgarde v. DePuy Orthopedics, Inc., et al.	Karen Belgarde	BER-L-6710-12
2.	Beutel v. DePuy Orthopedics, Inc., et al.	Teresa Beutel	BER-L-6587-13
3.	Biggers v. DePuy Orthopedics, Inc., et al.	Elizabeth Biggers	BER-L-8615-11
4.	Cimino v. DePuy Orthopedics, Inc., et al.	Joanne Cimino	BER-L-1138-12
5.	Culver v. DePuy Orthopedics, Inc., et al.	Randolph Culver	BER-L-8522-11
6.	Doyle v. DePuy Orthopedics, Inc., et al.	Albert Doyle	BER-L-6366-11
7.	Ferrari v. DePuy Orthopedics, Inc., et al.	Philip Ferrari	BER-L-5140-12
8.	Gatus v. DePuy Orthopedics, Inc., et al.	Ronald Gatus	BER-L-5898-12
9.	Gray v. DePuy Orthopedics, Inc., et al.	Arthur Gray	BER-L-9334-11
10.	Green v. DePuy Orthopedics, Inc., et al.	Marshall Green	BER-L-6643-12
11.	Haupt v. DePuy Orthopedics, Inc., et al.	Richard Haupt	BER-L-5868-11
12.	Hendrickson v. DePuy Orthopedics, Inc., et al.	Debra Hendrickson	BER-L-3654-12
13.	Henson v. DePuy Orthopedics, Inc., et al.	Joanne Henson	BER-L-6367-11
14.	Hofner v. DePuy Orthopedics, Inc., et al.	Alexander Hofner	BER-L-10042-11
15.	Intrabartolo v. DePuy Orthopedics, Inc., et al.	Lynda Intrabartolo	BER-L-3641-11
16.	Johnson v. DePuy Orthopedics, Inc., et al.	Mary Johnson	BER-L-6663-11
17.	Kipp v. DePuy Orthopedics, Inc., et al.	Ronald Kipp	BER-L-6972-12
18.	Lessig v. DePuy Orthopedics, Inc., et al.	Sandra Lessig	BER-L-2387-12
19.	Luck v. DePuy Orthopedics, Inc., et al.	George Luck	BER-L-5903-12
20.	Meo v. DePuy Orthopedics, Inc., et al.	Robert Meo	BER-L-7044-12
21.	Milling v. DePuy Orthopedics, Inc., et al.	Brenda Milling	BER-L-7867-11
22.	Modlin v. DePuy Orthopedics, Inc., et al.	Mary Modlin	BER-L-1864-12
23.	Phillis v. DePuy Orthopedics, Inc., et al.	Carol Phillis	BER-L-7865-11
24.	Quigley v. DePuy Orthopedics, Inc., et al.	Kathleen Quigley	BER-L-3444-12
24.	Rodriguez v. DePuy Orthopedics, Inc., et al.	Dixon Rodriguez	BER-L-7065-11
25.	Searan v. DePuy Orthopedics, Inc., et al.	Patricia Searan	BER-L-6545-11
26.	Sharpe v. DePuy Orthopedics, Inc., et al.	Sharon Sharpe	BER-L-6660-11
27.	Sheikh v. DePuy Orthopedics, Inc., et al.	Sara Sheikh	BER-L-1132-12

28.	Tschumi v. DePuy Orthopedics, Inc., et al.	Shirley Tschumi	BER-L-5905-12
29.	Wallace v. DePuy Orthopedics, Inc., et al.	Bruce Wallace	BER-L-5344-12
30.	Wildt v. DePuy Orthopedics, Inc., et al.	Shaun Wildt	BER-L-7349-13