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FILED

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Judge James F. Hyland

Attorney for Plaintiff

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MIDDLESEX COUNTY

MITCHELL UTZ and JOANNE UTZ, h/w

DOCKET NO. MID-L-9959-14

Plaintiffs

LEVAQUIN LITIGATION

v.

Case Code Number 286

JOHNSON & JOHNSON, JOHNSON &
JOHNSON PHARMACEUTICAL
RESEARCH & DEVELOPMENT, L.L.C.
and ORTHO-MCNEIL-JANSSEN
PHARMACEUTICAL, INC.

ORDER

Defendants

This matter having been opened to the Court by Drinker, Biddle & Reath LLP, attorneys for the Defendants Johnson & Johnson, et al for entry of an Order Dismissing Plaintiff's Complaint for Failure to Comply with the Court's July 19, 2019 Order, and the Court having considered the submissions of the parties and oral argument if any, including Plaintiff's Cross-Motion for an Extension of Time to Provide Case Specific Expert Report, and for good cause shown;

IT IS ON THIS 9th Day of December, 2019 **ORDERED** as follows:

1. Defendant's Motion to Dismiss Plaintiff's Complaint is hereby DENIED;
2. Plaintiff's expert report(s) on liability and damages and certification(s) as to the status of Plaintiff's expert(s) must be served on or before December 16, 2019;

3. If Plaintiff's expert report(s) on liability and damages and certification(s) as to the status of Plaintiff's expert(s) are not served by December 16, 2019, the case is dismissed with prejudice;
4. Defense expert reports on liability and damages shall be served on or before February 24, 2020;
5. Plaintiff's expert(s) on liability and damages shall be deposed in New Jersey on or before April 10, 2020;
6. Defense expert depositions shall begin after the deposition(s) of Plaintiff's expert(s) and be completed on or before May 15, 2020;
7. Following the service of defense expert reports, the parties shall confer and submit to the Court a proposed pre-trial scheduling order;
8. A copy of this Order shall be served upon all counsel within ten (10) days of the date hereof.


HON. JAMES F. HYLAND J.S.C.