

IN RE: LEVAQUIN LITIGATION

FILED

OCT 06 2017

Judge James F. Hyland

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
CASE NO. 286

CASE MANAGEMENT ORDER NO. 32

THIS MATTER having come before the Court during the September 20, 2017 Case Management Conference, and for good cause shown,

IT IS on this 6th day of October, 2017, **ORDERED**, as follows:

1. By **September 27, 2017**, Napoli Shkolnik PLLC and Marc J. Bern & Partners LLP shall provide to the Court and defense counsel an update regarding the status of their collective resolved case inventory and advise of any issues which stand in the way of prompt consummation of the agreed upon settlement.

2. Defendants' request for leave to file a motion for summary judgment in the Warnet (MID-L-9956-14) matter is hereby GRANTED. Defendants shall file the motion **on October 13, 2017** by noon.

3. Defendants' request for leave to file a motion for summary judgment in the Haynes (MID-L-9755-14) matter is hereby GRANTED. Defendants shall file the motion **by October 13, 2017** at noon.

4. Defendants' request for leave to file motions to dismiss in the Beato (MID-L-9796-14), Zech (MID-L-9947-14), Skawinski (MID-L-9763-14) and Shelley (MID-L-10034-14) matters is hereby GRANTED. Defendants shall file the motions **by October 13, 2017** at noon.

5. By **October 11, 2017**, plaintiff's counsel in Hall (MID-L-9962-14) shall provide a date for plaintiff's deposition to take place in New Jersey or, if plaintiff is unable to travel to

New Jersey for her deposition, counsel shall produce a detailed note from plaintiff's physician setting forth the specific reason(s) she is unable to travel.

6. In the Arthur (MID-L-10033-14), Costello (MID-L-9896-14), Dermody (MID-L-9739-14), Lynn (MID-L-9906-14), O'Connor (MID-L-10039-14), Rappoport (MID-L-10038-14) and Utz (MID-L-9959-14) matters, counsel shall work together to schedule prescribing and/or treating physician depositions for mutually convenient dates as soon as practicable, to take place no later than **November 30, 2017**. If dates cannot be set or any physician will not appear voluntarily, defendants shall make the proper application for service of subpoenas.

7. By **September 27, 2017**, plaintiff's counsel in the Brooks (MID-L-9902-14) matter shall provide defendants with an executed stipulation of dismissal with prejudice.

8. Plaintiff's counsel in the Lewy (MID-L-9910-14) matter shall provide defendants with a date for plaintiff's deposition to be conducted in New Jersey by **November 30, 2017**.

9. Plaintiff's counsel in the Krzyzkowski (MID-L-9764-14) matter shall provide defendants with a date for Jarina Krzyzkowski's deposition to be conducted in New Jersey by **October 30, 2017**.

10. The next case management conference will be held on **December 5, 2017** at 10:00 a.m.

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

