

This Order has been prepared and filed by the Court.

PAMELA WICKER and WILLIAM
WICKER,

Plaintiffs,

v.

ETHICON, INC., ETHICON
WOMEN'S HEALTH AND
UROLOGY, a Division of ETHICON,
INC., JOHNSON & JOHNSON, and
JOHN DOES 1-20,

Defendants.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION

BERGEN COUNTY

DOCKET NO. L-13702-14 (MCL)

CIVIL ACTION

ORDER

FILED

JUL 14 2015

BRIAN R. MARTINOTTI
J.S.C.

THIS MATTER having come by way of Defendants' Motion for Commissions for Treators, Motion to Compel information on the identity Wicker's prescribing physician for Lexapro, Wicker's treating physician for her 2014 Botox injections, and any other undisclosed treating physicians, Motion to Compel Wicker's Medical Examination, Motion to Compel production of photographs, Motion to Strike the August 26, 2014 supplemental expert report of Dr. Anne Weber, Motion to Strike the August 23, 2014 supplemental expert report of Dr. Anne Weber, Motion to Compel Deposition of Dr. Anne Weber, and Request to preclude plaintiffs from submitting additional expert reports or establish a procedure for submission of such reports; the Court having heard Oral Argument on July 14, 2015; for the reasons set forth on the record;

IT IS on this 14th day of July, 2015

ORDERED as follows:

1. Defendants' Motion for the Commission of "Treating" Physicians [Ackerman, Cohen, and Kang] is DENIED.



2. Defendants' Motion to Compel information on Wicker's treating physician for her 2014 Botox injections is DENIED as moot [this information has been provided]. Plaintiff's Counsel will speak with Wicker to address the Lexapro issue.
3. Defendants' Motion to Compel Wicker's Medical Examination is GRANTED. Counsel shall meet and confer on the logistics of the exam and report back to the Court within 7 days.
4. Defendants' Motion to Compel production of photographs from Carrie Wicker's 2014 wedding, Amy Wicker's wedding, 2013 Scotland trip, 2014 boat trip, trips to the Wickers' vacation home in Sea Island, GA, and any other travel photos is GRANTED. Plaintiff shall make these photographs available (in whatever format Plaintiff's Counsel chooses) to a defense counsel representative—for their eyes only. Defense counsel may then pick out three photographs from each event.
5. Defendant's Motions concerning Dr. Anne Weber are decided as follows:
 - a. Defendants' Motion to Strike the Supplemental Expert Reports is DENIED.
 - b. Defendants' Motion to Compel an Additional Deposition of Dr. Weber is GRANTED, subject to Counsel meeting and conferring on the scope and the parameters of this deposition.
6. Defendant's request to bar the submission of additional expert reports is DENIED as not ripe.


BRIAN R. MARTINOTTI, J.S.C.