FILED

APR 10 2013

BRIAN R. MARTINOTTI
J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

CASE NO. 296
MASTER DOCKET NO.:BER-L-936-13

IN RE Stryker Rejuvenate & ABG II

Hip Implant LITIGATION

CIVIL ACTION
CASE MANAGEMENT ORDER #4

All prior orders remain in full force and effect except as modified by this Order

This Matter having been assigned to the Honorable Brian R. Martinotti, J.S.C. pursuant to the Supreme Court's Order of January 24, 2013, designating this matter for Multicounty Litigation Status ("MCL") of Stryker Rejuvenate & ABG II Hip Implant Litigation (hereinafter referred to as "Stryker"), and the Court having reviewed the proposed agenda, conducting a CMC on April 10, 2013, counsel appearing, for good cause shown and for the reasons set forth on the record,

IT IS on this 10th day of April 2013,

ORDERED,

I. COMPLIANCE WITH PRIOR ORDERS:

1. ORDERS ENTERED SINCE CMO #3:
    A. CMO #3.1, amending Exhibit A to CMO #3
    B. Initial Mediation Order, dated April 2, 2013
2. COMPLIANCE:

A. Counsel have met and are continuing to meet on the following: [Counsel's request to extend this time set forth in CMO #3 is GRANTED.]

i. Short form and long form complaint: **Received April 3, 2013 (counsel to submit final version of short and long form complaint adding "John Doe" as party by April 11, 2013); Implementing Order entered April 10, 2013**

ii. Answer (short and long form): **April 26, 2013**

iii. Agree to form and content of a Plaintiff/Defendant fact sheet: **For Plaintiffs: April 26, 2013; For Defendants: May 10, 2013**

iv. Scope, parameters and timing for service of written discovery: **Parties may serve discovery requests compliant with court rules and shall continue to meet and confer regarding discovery.**

v. Terms of a Protective Order: **May 10, 2013**

vi. Initial Mediation Consent Order: **Completed (see supra Part I (1)(A).**

II. CASE MANAGEMENT:

1. All new complaints shall be served within thirty (30) days of receipt of a filed copy from the Court.

2. Counsel has submitted short and long form complaints which will be posted on the MCL website. An implementing order has been executed.

3. Answers shall be filed within thirty (30) days of Court approval of the long and short form answers or pursuant to Court Rule, whichever is later.

III. GENERAL:

1. The next Case Management Conference is scheduled for May 15, 2013, at 10:00am. **Counsel shall submit a proposed agenda seven (7) days prior to this Case Management Conference.**

2. Pro hac vice motions shall not be filed until complaint is filed and served on Defendants.

3. The official record shall be the transcript provided by the court reporter retained by counsel. The reporter shall preserve all proceedings and shall email a transcript of any court proceeding to the court within 14 days of the proceeding.

4. By consent of all parties, the court may contact or be contacted on an *ex parte* basis regarding settlement issues only.

5. The court may, from time to time, conduct phone conferences with defense counsel and liaison counsel.

6. The Court directs all counsel to R.1:4-8 and expects all counsel to abide by the parameters set forth therein.

7. All Court proceedings will start at the designated scheduled time. Counsel is expected to arrive promptly for these proceedings.

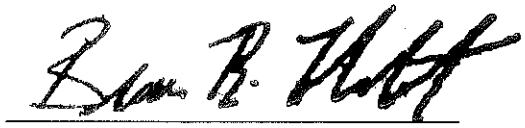
8. Counsel shall provide the Court with their preferred e-mail address by e-mailing same to Michel Szponder at Michel.Szponder@judiciary.state.nj.us and Stephanie Gino at Stephanie.Gino@judiciary.state.nj.us.

9. Counsel shall copy their co-counsel and all adversaries on all e-mails and other electronic correspondence submitted to the Court [COUNSEL IS PROHIBITED FROM FILING ANY PLEADING ELECTRONICALLY]. Any such submission received after 4:30 p.m. will be deemed received at 9:00 a.m. on the next day Court is in session. Any such submission received after 4:30 p.m. on a Friday or over a weekend, will be deemed received on 9:00 a.m. on the next day Court is in session.

10. Counsel is directed to contact The Superior Court of New Jersey, Attorneys Accounts: P.O. Box 980, Hughes Justice Complex, 25 W. Market Street, Trenton, New Jersey 08625, (609) 633-8643 to establish a collateral account for any filing fees within seven (7) days.

11. Counsel is required to check the Judiciary's Web Site dedicated to this matter for any decisions/Orders/information contained therein.

12. A copy of this Order and any subsequent Orders to the Court will be posted on the Judiciary Web Site.



BRIAN R. MARTINOTTI, J.S.C.