CM
#0266
to #0018
05.08.15

David W. Field (00378-1984)
LOWENSTEIN SANDLER LLP
65 Livingston Avenue
Roseland, New Jersey 07068
973.597.2500
Attorneys for Defendant
LifeCell Corporation

RECEIVED & FILED
2015 APR 13 A 11:58
SUPERIOR COURT CIVIL DIV
MIDDLESEX COUNTY

FILED
MAY 08 2015
JUDGE JESSICA R. MAYER

IN RE: ALLODERM® LITIGATION	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY Docket No. MID-L-5972-11 CM Case Code 295 Civil Action
MICHAEL SIMINERI and KAREN SIMINERI, h/w, Plaintiffs, v. LIFECELL CORPORATION, Defendant.	**~~PROPOSED~~ ORDER GRANTING CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT**

The above matter having been opened to the Court by Anapol Schwartz, attorneys for plaintiff Michael Simineri, upon application for an Order granting partial Summary Judgment in favor of Plaintiffs and forbidding LifeCell Corporation from arguing that the Learned Intermediary Doctrine applies in this matter ("Plaintiff's Motion"), and by Lowenstein Sandler LLP, attorneys for defendant LifeCell Corporation, upon cross-application for an Order granting partial summary judgment declaring that LifeCell Corporation may assert the learned intermediary doctrine in this matter ("LifeCell's Cross-Motion"), and the Court having considered all papers submitted in opposition thereto, ~~if any~~, and for good cause and the reasons set forth in the court's written decision, ~~stated in the record~~,

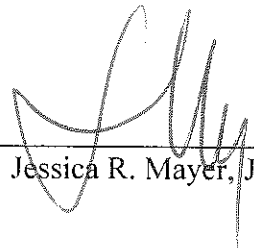
It is, on this 8th day of May 2015,

ORDERED that Plaintiff's Motion **denied**; and it is further

ORDERED that LifeCell's Cross-Motion is **granted**;* and it is further

ORDERED that LifeCell may assert the learned intermediary doctrine in this matter; and it is further

ORDERED that a copy of this Order shall be ~~served~~ posted online for on all counsel of record within seven days hereof.



Hon. Jessica R. Mayer, J.S.C.

OPPOSED

*For the reasons set forth in the Court's written decision dated May 8, 2015