

IN RE ORTHO EVRA® BIRTH CONTROL  
PATCH LITIGATION  
CASE CODE 275

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

CIVIL ACTION

As to DERY (L-5743-07) only

CASE MANAGEMENT ORDER  
No. 24

**THIS MATTER** having been opened to the Court jointly by counsel for the plaintiff and defendants, and for good cause shown,

IT IS on this 24<sup>th</sup> day of October, 2010;

**FILED**  
OCT 29 2010  
JUDGE JESSICA R. MAYER

**ORDERED** as follows:

1. This Order supersedes all prior Orders and modifies the deadlines previously set forth in any Case Management Orders applicable to this matter.

**SCHEDULE FOR DERY CASE DISCOVERY**

2. Choice of law motions, if any, shall be filed as follows:

- i. File Motion: **October 29, 2010**
- ii. File Opposition: **November 16, 2010**
- iii. File Reply: **November 22, 2010**
- iv. Oral Argument: **To be scheduled**

3. Plaintiff's expert reports for the Dery case shall be served on or before **December 13, 2010**.

4. Defense expert reports for the Dery case shall be served on or before **February 14, 2011**.

5. No expert may testify at trial unless his/her report is served in accordance with the terms of this Order.

6. All experts for the Dery case shall be deposed on or before **March 29, 2011**.

**SCHEDULE FOR DERY TRIAL**

7. Dispositive motions shall be filed no later than the dates set forth below (dispositive motions may be filed earlier with permission by the Court):

- i. File Motion: **April 5, 2011**
- ii. File Opposition: **April 26, 2011**
- iii. File Reply: **May 3, 2011**
- iv. Oral Argument: **To be scheduled**

8. Kemp motions shall be filed according to the following schedule:

- i. File Motion: **May 20, 2011**
- ii. File Opposition: **June 7, 2011**
- iii. File Reply: **June 14, 2011**
- iv. Oral Argument: **To be scheduled**

9. *In limine* motions shall be filed according to the following schedule:

- i. File Motion: **June 23, 2011**
- ii. File Opposition: **July 1, 2011**
- iii. Oral Argument: **To be scheduled**

10. The parties shall exchange proposed exhibit lists, witness lists, and deposition designations no later than **July 22, 2011**.

11. The parties shall serve objections and counter deposition designations no later than **July 29, 2011**.

12. The parties shall serve proposed exhibit objections no later than **July 29, 2011**.

13. The parties shall submit any disputed deposition designations no later than **August 1, 2011**.

14. The parties shall submit trial briefs, if requested by the court, no later than **August 26, 2011**.

15. One page joint statement of the ease for the jury pool and joint submission of questions for the jury *voir dire* to be submitted to the Court no later than **August 29, 2011**.

16. The parties shall submit final exhibit lists no later than **August 31, 2011**.

17. Proposed joint jury charges and verdict sheet shall be submitted to the Court no later than **August 31, 2011**.

18. All of the aforementioned documents filed with the Court shall be filed **by 12:00 pm** on the due date.

19. The Dery trial shall begin on **October 11, 2011, with jury selection to commence on October 4, 2011**.



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HON. JESSICA R. MAYER, J.S.C.