F. JOHN CALDWELL, JR.
MAGLIO CHRISTOPHER & TOALE, P.A. LAW FIRM
1605 Main Street, Suite 710
Sarasota, FL 34236
PHONE: (888) 952-5242
FAX: (877) 952-5042
Attorneys for Plaintiffs

FILED
SEP 28 2012
Brian R. Martinotti
J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

CIVIL ACTION

This Document Relates To:

IN RE DePuy ASR ™ Hip Implants LITIGATION
CASE NO. 293

WILLIAM DOUGHERTY and ESTHER DOUGHERTY,

Plaintiffs,

v.

DePUY ORTHOPAEDICS, INC., et al.

Defendants.

DOCKET NO.: pending

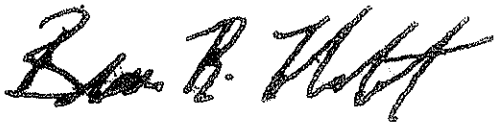
L-6641-12

ORDER ADMITTING ATTORNEY *PRO HAC VICE*

THIS MATTER being opened to the court by F. JOHN CALDWELL, JR., a New Jersey attorney and the attorney of record for Plaintiffs, to permit BRIAN S. FRANCISKATO, an attorney admitted to the practice of law in the States of Missouri and Kansas, to participate with other counsel for Plaintiffs in all phases of the trial, and it appearing that BRIAN S. FRANCISKATO is a licensed attorney in good standing in the States of Missouri and Kansas and it appearing that the cause in which the attorney seeks admission involves complex issues of law and fact in which the attorney is a specialist,

IT IS on this 28 day of September, 2012, ORDERED that BRIAN S. FRANCISKATO be and hereby is admitted *pro hac vice* and is authorized to appear and participate with other counsel for Plaintiffs in all phases of the trial, subject to the following conditions:

1. BRIAN S. FRANCISKATO shall abide by the *New Jersey Court Rules* including all disciplinary rules *R.* 1:20-1 and *R.* 1:28-2.
2. BRIAN S. FRANCISKATO shall, and hereby does, consent to the appointment of the Clerk of the Supreme Court as his agent upon whom service of process may be made for all actions against BRIAN S. FRANCISKATO that may arise out of his participation in the matter.
3. BRIAN S. FRANCISKATO shall immediately notify the court of any matter that affects his standing at the Bar of any other jurisdiction.
4. BRIAN S. FRANCISKATO shall have all pleadings, briefs and other papers filed with the court signed by an attorney of record authorized to practice in New Jersey, who shall be held responsible for them, the conduct of the litigation, and the attorney admitted herein.
5. BRIAN S. FRANCISKATO cannot be designated as trial counsel.
6. No discovery, motion, trial or any other proceeding delay shall occur or be requested by reason of the inability of BRIAN S. FRANCISKATO to be in attendance.
7. BRIAN S. FRANCISKATO must, within ten (10) days, pay the fees required by *R.* 1:20-1(b) and *R.* 1:28-2 and submit an affidavit of compliance.
8. *Pro hac vice* admission will automatically terminate for failure to make the initial and any annual payment required by *R.* 1:20-1(b) and *R.* 1:28-2.
9. Non-compliance with any of the terms of this order shall constitute grounds for removal.
10. A copy of this order shall be served on all parties within seven (7) days of the date hereof.



_____, *J.S.C.*