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Attorney for Plaintiff

FILED
NOV 19 2014
BRIAN R. MARTINOTTI
J.S.C.

DEBBIE STAFFORD, AS PERSONAL, REPRESENTATIVE OF THE ESTATE THOMAS ROOT, DECEASED,	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY
Plaintiff,	
v.	Docket No. BER-L-7301-12
DEPUY ORTHOPAEDICS, INC., et al.,	CIVIL ACTION
Defendants.	**ORDER REINSTATING PLAINTIFF'S COMPLAINT**

THIS MATTER having been brought before the Court on the motion of Esther E. Berezofsky, Esquire, attorney for Plaintiff, by way of motion application for an Order reinstating Plaintiff's Complaint in the above-captioned matter, and the Court having heard the arguments of counsel in reconsideration of the Order entered on October 8, 2014 and for good cause having been shown;

IT IS on this 19th day of November, 2014,

ORDERED that the Court Order entered on October 8, 2014 has been reconsidered and **VACATED**; and

IT IS FURTHER ORDERED that Plaintiff's Complaint be and hereby is **REINSTATED**; and

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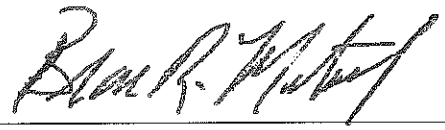
IT IS FURTHER ORDERED that Plaintiff's claims asserted against Defendants DePuy Orthopaedics, Inc., et al., are hereby **REINSTATED**; and

IT IS FURTHER ORDERED that a copy of this Order be served on all parties to this action within seven (7) days of the signing hereof.



Hon. Brian R. Martinotti, J.S.C.

Papers Considered:

____ Notice of Motion
____ Movant's Affidavits
____ Movant's Brief
____ Answering Affidavits
____ Answering Brief
____ Cross-Motion
____ Movant's Reply
____ Other

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November 11, 2014

VIA FEDERAL EXPRESS

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Brian R. Martinotti
J.S.C.

Hon. Brian R. Martinotti
Bergen County Justice Center
10 Main Street
Room 359
Hackensack, NJ 07601

Re: Root v. DePuy Orthopaedics, Inc., et al.
Docket No. BER-L-7301-12

Dear Judge Martinotti:

For the first time in his certification dated October 31, 2014, Alabama counsel, Navan Ward, Esq., affirms that the location of the explant is not known. With that he has complied with the Court's Order dated June 10, 2014, and the defense does not oppose reinstatement of the Complaint.

The defense does take strong issue with the misrepresentations and accusations in the certification of Alabama counsel for the plaintiffs.

Respectfully Submitted,

DRINKER BIDDLE & REATH LLP

Zoha Barkeshli

Zoha Barkeshli

cc: Susan Sharko, Esq.
Navan Ward, Esq. (Via Electronic and Regular Mail)
Esther Berezofsky, Esq. (Via Electronic and Regular Mail)

Andrew B. Joseph
Partner responsible for Florham Park Office

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