SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

IN RE YAZ®, YASMIN®, OCELLA® LITIGATION

DOCKET NO.: BER-L-3572-10
CASE NO. 287 (MT)

FILED
AUG 10 2011
BRIAN R. MARTINOTTI, J.S.C.

CIVIL ACTION

CASE MANAGEMENT ORDER NO. 28
[All prior Orders remain in full force and effect except as modified by this Order]

THIS ORDER is being entered following a Case Management Conference held on August 10, 2011 where all the parties appeared and submitted an agenda in support of a case management order and for good cause shown;

IT IS ON THIS 10th DAY OF August, 2011

ORDERED,

COMPLIANCE WITH PRIOR CASE MANAGEMENT ORDER

1. Decisions on Discovery Motions were placed on the record on June 30, 2011. (Order entered and is posted on the Mass Tort Web site).
2. An Order for bellwether trials was submitted and entered on July 8, 2011.

CASE MANAGEMENT

1. The following Orders were entered today: "Effect of Name Change of Bayer Schering Pharma AG (#26); Expert Disclosures (#27); Amended Case Management Order (#20) Service of Process.

2. Plaintiff in the bellwether matter *Browning*, Docket No. L-3628-10 shall be deposed on or before September 30, 2011. If this deposition does not go forward, then in that

event, the Complaint will be dismissed, with prejudice, and Defendants may substitute *Tirjan*, Docket No. L-3599-10 as a bellwether selection.

3. The Defendants' application to have "core discovery" in 100 cases which has been modified without prejudice to a request to depose the Plaintiffs in the first 50 cases filed is DENIED, in part; over Plaintiffs objection the Court will permit depositions of Plaintiff in the first 15 non-bellwether cases selected. [The Court takes note that Judge Herndon in the MDL has permitted discovery in 100 non-bellwether cases]

4. Defendant shall file a Motion to Seal pursuant to New Jersey Court Rules. This motion will be decided in the regular course and shall apply to the *Kemp* motions to be filed pursuant to the July 8, 2011 order.

GENERAL

1. 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.

2. The next Case Management Conference will take place in Courtroom 359 on October 19, 2011 at 2:00 p.m.

BRIAN R. MARTINOTTI, J.S.C.