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Bayer Schering Pharma AG
Bayer AG

FILED
FEB 28 2014
BRIAN R. MARTINOTTI
J.S.C.

VICTORIA REDMAN, Plaintiff, v. BAYER CORP., ET AL., Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO. BER-L-003604-10 IN RE YAZ®, YASMIN®, OCELLA® LITIGATION CASE CODE 287 **ORDER DISMISSING PLAINTIFF'S COMPLAINT WITH PREJUDICE PURSUANT TO CMO NO. 39**

THIS MATTER having been opened to the Court by Drinker Biddle & Reath LLP, attorneys for Defendants, on motion for entry of an Order pursuant to Case Management Order No. 39, dismissing Plaintiff's Complaint with prejudice for failure to provide discovery, and the Court having considered the submissions of the parties, and for good cause having been shown:

IT IS on this 28th day of February, 2014,

ORDERED as follows:

1. Defendants Motion to Dismiss Plaintiff's Complaint With Prejudice pursuant to Case Management Order No. 39, be and hereby is granted; and

2. A true copy of this Order shall be served upon all counsel of record within seven (7) days of its entry hereof.

BRIAN R. MARTINOTTI, J.S.C.

This motion was:

_____ Opposed

X Unopposed

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

IN RE YAZ®, YASMIN®, OCELLA® LITIGATION

CASE NO. 287
Master Docket No. BER-L-3572-10 MT

CIVIL ACTION

MEMORANDUM DECISION

MARTINOTTI, J.S.C.

Before this Court were ninety-eight (98) motions[1] to dismiss filed by Defendants Bayer (sixty-six (66) were returnable on October 11, 2013, one (1) was withdrawn and the remaining were unopposed; twenty-three (23) were returnable on October 25, 2013, with one (1) being withdrawn and three (3) being opposed[2]; one (1) returnable on November 8, 2013, one (1) returnable on November 22, 2013, two (2) returnable on December 6, 2013, two (2) returnable January 17, 2014, two (2) returnable January 31, 2014, and one (1) returnable February 28, 2014). The present motion is petitioning this Court, pursuant to Case Management Order No. 39, Section II, to dismiss Plaintiff's Complaint With Prejudice for failure to produce expert reports on general and specific causation. See Case Management Order No. 39.

The *YAZ®, Yasmin®, Ocella®* Litigation was designated a Multi-County Litigation (MCL) by order of the Supreme Court on February 9, 2010. The cases were assigned to Bergen County on February 18, 2010. Since the MCL, forty-five (45) Case Management Orders have

[1] For a complete list of individual Plaintiffs and their docket numbers, see attached exhibits.
[2] The Court heard argument and delivered an oral opinion on the record on October 25, 2013.

been entered. This Court has coordinated its efforts with the pending Multi-District Litigation (MDL), presided over by the Honorable David R. Herndon, Chief Judge, USDJ.

On March 15, 2013, this Court entered Case Management Order No. 39. Section II Paragraph A requires Plaintiff's to produce certain discovery, including expert reports on general causation and a case-specific expert report regarding the cause of the gallbladder injury. Section II also requires Plaintiff's to produce a Plaintiff Fact Sheet and authorizations pursuant to CMO 7, all pharmacy and medical records from 3 years prior to the diagnosis of the gallbladder injury to the present, and a certification that the pharmacy and medical records have been collected and produced to Defendants.

As to the aforementioned discovery, for cases filed before March 26, 2013, they were due to Defendants by July 22, 2013. If a Plaintiff failed to comply with the discovery requirements as articulated in CMO 39, Defendant must notify Plaintiff in writing of said failure, after which Plaintiff has 30 days to cure the deficiencies. After such time has lapsed, if Plaintiff has not cured, Defendant may move the Court for an Order dismissing the Complaint with Prejudice. Plaintiff has 30 days afterward to respond.

On August 26, 2013, Plaintiff Victoria Redman's now former Counsel, Lopez McHugh LLP, filed a motion to withdraw as Plaintiff's Counsel. Pursuant to the Court's Order, all notices were sent directly to Plaintiff Redman's home address. On December 6, 2013, Defense Counsel notified Plaintiff Redman that if the delinquent discovery was not received by January 5, 2014, Defendants would move for dismissal of her case. To date, Plaintiff has failed to respond.

The Plaintiff has not complied with the deadlines established in Case Management Order No. 39. Specifically, she has failed to provide the required expert reports. This Court finds that

Plaintiff has not complied with this Court's order and therefore, the Defendant's motion to Dismiss Victoria Redman's Complaint with Prejudice is GRANTED.

EXHIBIT

A

Motions to Dismiss with Prejudice

Return date October 11, 2013

Plaintiff	Attorney/firm	Docket Number	Complaint File	Notices Due	Letter Sent/P
Claudia Mae Kopinski	Sindu S. Daniel (Seeger Weiss LLP)	BER-L-007402-11	6/7/2011	7/8/2013	7/26/2013
Zena Muzyczenko	Sindu S. Daniel (Seeger Weiss LLP)	BER-L-7063-11	6/17/2011	8-Jul	7/26/2013
~~Jamie Crawford~~	~~Jeffrey Messinger (Milberg LLP)~~	~~BER-L-3785-10~~	~~12/24/2009~~	~~7/8/2013~~	~~7/26/2013~~
Jennifer Stevens	David s. Rather (Morelli Ratner)	BER-L-6486-11	5/9/2011	7/8/2013	7/26/2013
Hope Bailey	Roopal Luhana (Chaffin Luhana)	BER-L-7089-11	6/30/2011	7/8/2013	7/26/2013
Anastasia McCleary	Theodore Oshman (Oshman & Mirisola)	BER-L-1457-11	1/24/2011	7/8/2013	7/26/2013
Krystal Shannon	Paul Rheingold (Rheingold, Valet, Rheingol	BER-L-6768-10	9/22/2013	7/8/2013	7/26/2013
Danielle Hensley	William Bross (Heninger Garrison Davis)	BER-L-2095-11	3/3/2011	7/8/2013	7/26/2013
Jennifer Myers-Own	Fred Thompson III (Motley Rice LLC)	BER-L-317-12	11/21/2011	7/8/2013	7/26/2013
Jennifer Ribaudo	David Zoll (Zoll, Kranz & Borgess)	BER-L-6551-10	5/28/2010	7/8/2013	7/26/2013
Vivian Alinskas	David Zoll (Zoll, Kranz, & Borgess)	BER-L-11755-10	12/3/2010	7/8/2013	7/26/2013
Melissa Shufon	David Zoll (Zoll, Kranz & Borgess)	BER-L-9498-10	10/1/2010	7/8/2013	7/26/2013
Heather Mitchell	David Zoll (Zoll, Kranz & Borgess)	BER-L-3833-10	12/14/2009	7/8/2013	7/26/2013
Kia Elder	David Zoll (Zoll, Kranz & Borgess)	BER-L-11729-10	11/23/2010	7/8/2013	7/26/2013
Shequana Edwards	David Zoll (Zoll, Kranz & Borgess)	BER-L-9385-10	9/28/2010	7/8/2013	7/26/2013
Amy Martin	David Zoll (Zoll, Kranz & Borgess)	BER-L-9378-10	9/28/2010	7/8/2013	7/26/2013
Jennifer D'Antonio	David Zoll (Zoll, Kranz & Borgess)	BER-L-9390-10	9/28/2010	7/8/2013	7/26/2013
Lauren Bucksner	David Zoll (Zoll, Kranz & Borgess)	BER-L-9504-10	10/1/2010	7/8/2013	7/26/2013
Tanika Wright	David Zoll (Zoll, Kranz & Borgess)	BER-L-9721-10	10/4/2010	7/8/2013	7/26/2013
Cathelyne Salisbury	David Zoll (Zoll, Kranz & Borgess)	BER-L-11772-10	12/3/2010	7/8/2013	7/26/2013
Alexandra Romeo	David Zoll (Zoll, Kranz & Borgess)	BER-L-10951-10	10/26/2010	7/8/2013	7/26/2013
Jessica Golden-Harper	David Zoll (Zoll, Kranz & Borgess)	BER-L-7887-11	8/31/2011	7/8/2013	7/26/2013
Stephanie Rivera	David Zoll (Zoll, Kranz & Borgess)	BER-L-9480-10	10/1/2010	7/8/2013	7/26/2013
Leslie Moorman	David Zoll (Zoll, Kranz & Borgess)	BER-L-9487-10	10/1/2010	7/8/2013	7/26/2013
Melissa Jurick	David Zoll (Zoll, Kranz & Borgess)	BER-L-9340-10	9/29/2013	7/8/2013	7/26/2013
Kerri Flanigan	David Zoll (Zoll, Kranz & Borgess)	BER-L-9394-10	9/28/2013	7/8/2013	7/26/2013
Kristi Mattison	David Zoll (Zoll, Kranz & Borgess)	BER-L-9709-10	10/1/2010	7/8/2013	7/26/2013
Erica Davis	Randi S. Kassan (Sanders Viener Grossman)	BER-L-9907-10	10/4/2010	7/8/2013	7/26/2013
Crystal Genovese	Randi S. Kassan(Sanders Viener Grossman)	BER-L-3762-10	2/16/2010	7/8/2013	7/26/2013

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Roxangela Ruiz	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9896-10	10/4/2010	7/8/2013	7/26/2013
Shamika Williams	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9863-10	10/4/2013	7/8/2013	7/26/2013
Katie Johnson	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9902-10	10/4/2010	7/8/2013	7/26/2013
Jennifer Hayward	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9912-10	10/4/2010	7/8/2013	7/26/2013
Toya Oyeilumi	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9932-10	10/4/2010	7/8/2013	7/26/2013
Stephanie Fitts	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9915-10	10/4/2010	7/8/2013	7/26/2013
Kimberely Mitchell	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9937-10	10/4/2010	7/8/2013	7/26/2013
Jennifer Gill	Randi S. Kassan(Sanders Viener Grossman)	BER-L_9867-10	10/4/2010	7/8/2013	7/26/2013
Jessica Uribe	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9874-10	10/4/2010	7/8/2013	7/26/2013
Rebecca Loudon	Randi S. Kassan(Sanders Viener Grossman)	BER-L-3760-10	2/16/2010	7/8/2013	7/26/2013
Jill Cooper	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9925-10	10/4/2010	7/8/2013	7/26/2013
Alanna Dorsett	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9934-10	10/4/2010	7/8/2013	7/26/2013
Jane Aseltyne	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9931-10	10/4/2010	7/8/2013	7/26/2013
Sabrinia Annis	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9918-10	10/4/2010	7/8/2013	7/26/2013
Lauren Flanagan	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9871-10	10/4/2010	7/8/2013	7/26/2013
Ivonne Marie Garcia	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9883-10	10/4/2010	7/8/2013	7/26/2013
Michelle Karhoff	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9898-10	10/4/2010	7/8/2013	7/26/2013
Michelle Mascolo	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9921-10	10/4/2010	7/8/2013	7/26/2013
Lisa Schmalbach	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9936-10	10/4/2010	7/8/2013	7/26/2013
Jillian Taylor	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9927-10	10/4/2010	7/8/2013	7/26/2013
Shelby Money	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9910-10	10/4/2010	7/8/2013	7/26/2013
Cindy Vides	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9895-10	10/4/2010	7/8/2013	7/26/2013
Edna Nunez Ramos	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9893-10	10/4/2010	7/8/2013	7/26/2013
Sandy Ocasio	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9889-10	10/4/2010	7/8/2013	7/26/2013
Amanda McBride	Randi S. Kassan(Sanders Viener Grossman)	BER--L-9899-10	10/4/2010	7/8/2013	7/26/2013
Susan Paul	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9890-10	10/4/2010	7/8/2013	7/26/2013
Stephanie Vitiello	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9897-10	10/4/2010	7/8/2013	7/26/2013
Dana Luningham	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9880-10	10/4/2010	7/8/2013	7/26/2013
Kelly Meredith	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9887-10	10/4/2010	7/8/2013	7/26/2013
Irma Sanchez	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9913-10	10/4/2013	7/8/2013	7/26/2013

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Christina Griffin	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9929-10	10/4/2013	7/8/2013	7/26/2013
Erin Landrum	Randi S. Kassan(Sanders Viener Grossman)	BER-L-9882-10	10/4/2013	7/8/2013	7/26/2013
Erica Panico	Ellen Relkin (Weitz & Luxenberg)	BER-L-5708-11	4/26/2011	7/8/2013	7/26/2013
Casey Drake	Ellen Relkin (Weitz & Luxenberg)	BER-L-5611-11	3/31/2011	7/8/2013	7/26/2013
Amy Coady	Ellen Relkin (Weitz & Luxenberg)	BER-L-8550-11	9/9/2011	7/8/2013	7/26/2013
Jacqueline Tronoosky	Ellen Relkin (Weitz & Luxenberg)	BER-L-450-12	12/9/2011	7/8/2013	7/26/2013
Robyn Kravitz	Ellen Relkin (Weitz & Luxenberg)	BER-L-7699-11	8/1/2011	7/8/2013	7/26/2013

Motions to Dismiss with Prejudice

Return date October 25, 2013

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Samantha Poland	Pro Se	BER-L-3832-10	9-Apr-10	22-Jul-13	26-Jul-13
Shannon Watkins	(Dori Milner) Napoli, Bern, Ripka & Associates	BER-L-5638-11	4-Apr-10	22-Jul-13	26-Jul-13
Victoria Riddle	Pro Se	BER-L-7081-11	29-Jun-12	22-Jul-13	26-Jul-13
Michelle Leiva	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-7252-11	16-Jun-11	22-Jul-13	26-Jul-13
Emily Clack	Pro Se	BER-L-3857-10	1-Apr-10	22-Jul-13	26-Jul-13
Sarah Chaus	Pro Se	BER-L-1939-12	13-Jan-12	8-Jul-13	29-Aug-13
Catherine Wright	Pro Se	BER-L-10364-10	20-Oct-10	22-Jul-13	29-Jul-13
Emily Csernica	Theodore Oshman (Oshman & Mirisola)	BER-L-1431-11	24-Jan-11	22-Jul-13	26-Jul-13
Dawn Medley	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-9828-10	1-Oct-10	22-Jul-13	26-Jul-13
Brittney Martain	Catherine Heacox (LLF)	BER-L-6607-10	21-Jun-10	22-Jul-13	26-Jul-13
Michelle Mavroudis	Mark Sadaka (Sadaka Associates)	BER-L-8609-11	9-Sep-11	22-Jul-13	26-Jul-13
Stephanie Deese	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-7942-11	19-Aug-11	22-Jul-13	26-Jul-13
Jacquelyn McCann	Catherine Heacox (LLF)	BER-L-7188-11	25-Jul-11	22-Jul-13	26-Jul-13
Michelle Vigil	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-9855-10	10-Oct-10	22-Jul-13	26-Jul-13
~~Jamie Banaszewski*~~	~~Catherine Heacox (LLF)~~	~~BER-L-6643-10~~	~~9-Jul-10~~	~~22-Jul-13~~	~~26-Jul-13~~
Alicia Ciari	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-7239-11	16-Jun-11	22-Jul-13	26-Jul-13
Trista Williams	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-3822-10	4-Dec-09	22-Jul-13	26-Jul-13
Rochelle Sommers	Mark Sadaka (Sadaka Associates)	BER-L-7198-11	12-Jul-11	22-Jul-13	26-Jul-13
Reagan Strain	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-1453-11	3-Feb-11	22-Jul-13	26-Jul-13
Judy Darby	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-3777-10	24-Dec-09	22-Jul-13	26-Jul-13
Lisa Torres	Pro se	BER-L-7189-11	29-Jul-11	22-Jul-13	26-Jul-13
Stacy Dinnel	Mark Sadaka (Sadaka Associates)	BER-L-7184-11	12-Jul-11	22-Jul-13	26-Jul-13
Kristina Brown	Dori Milner (Napoli, Bern, Ripka & Associates)	BER-L-11798-10	1-Dec-10	22-Jul-13	26-Jul-13

*Withdrawn

Special Master Stephen A. Saltzburg's Reports Recommendations
for Motions to Dismiss with Prejudice Return date October 11, 2013

Plaintiff	Docket Number	Recommendation	Reason
Claudia Mae Kopinski	BER-L-7042-11	Dismiss	Non-Compliance with CMO 39
Zena Muzyczenko	BER-L-7063-11	Dismiss	Non-Compliance with CMO 39
~~Jamie Crawford~~	WITHDRAWN	WITHDRAWN	WITHDRAWN
Jennifer Stevens	BER-L-6486-11	Dismiss	Non-Compliance with CMO 39
Hope Bailey	BER-L-7089-11	Dismiss	Non-Compliance with CMO 39
Anastasia McCleary	BER-L-1457-11	Dismiss	Non-Compliance with CMO 39
Krystal Shannon	BER-L-6768-10	Dismiss	Non-Compliance with CMO 39
Danielle Hensley	BER-L-2095-11	Dismiss	Non-Compliance with CMO 39
Jennifer Myers-Own	BER-L-317-12	Dismiss	Non-Compliance with CMO 39
Jennifer Ribaudo	BER-L-6551-10	Dismiss	Non-Compliance with CMO 39
Vivian Alinskas	BER-L-1755-10	Dismiss	Non-Compliance with CMO 39
Melissa Shufon	BER-L-9498-10	Dismiss	Non-Compliance with CMO 39
Heather Mitchell	BER-L-3833-10	Dismiss	Non-Compliance with CMO 39
Kia Elder	BER-L-11729-10	Dismiss	Non-Compliance with CMO 39
Shequana Edwards	BER-L-9385-10	Dismiss	Non-Compliance with CMO 39
Amy Martin	BER-L-9378-10	Dismiss	Non-Compliance with CMO 39
Jennifer D'Antonio	BER-L-9390-10	Dismiss	Non-Compliance with CMO 39
Lauren Bucksner	BER-L-9504-10	Dismiss	Non-Compliance with CMO 39
Tanika Wright	BER-L-9721	Dismiss	Non-Compliance with CMO 39
Cathelyne Salisbury	BER-L-11722-10	Dismiss	Non-Compliance with CMO 39
Alexandra Romeo	BER-L-10951-10	Dismiss	Non-Compliance with CMO 39
Jessica Golden-Harper	BER-L-7887-11	Dismiss	Non-Compliance with CMO 39
Stephanie Rivera	BER-L-9480-10	Dismiss	Non-Compliance with CMO 39
Leslie Moorman	BER-L-9487-10	Dismiss	Non-Compliance with CMO 39
Melissa Jurick	BER-L-9340-10	Dismiss	Non-Compliance with CMO 39
Kerri Flanigan	BER-L-9394-10	Dismiss	Non-Compliance with CMO 39
Kristi Mattison	BER-L-9709-10	Dismiss	Non-Compliance with CMO 39
Erica Davis	BER-L-9907-10	Dismiss	Non-Compliance with CMO 39
Crystal Genovese	BER-L-672-10	Dismiss	Non-Compliance with CMO 39

Special Master Stephen A. Saltzburg's Reports Recommendations
for Motions to Dismiss with Prejudice Return date October 11, 2013

Roxangela Ruiz	BER-L-9896-10	Dismiss	Non-Compliance with CMO 39
Shamika Williams	BER-L-9863-10	Dismiss	Non-Compliance with CMO 39
Katie Johnson	BER-L-9902-10	Dismiss	Non-Compliance with CMO 39
Jennifer Hayward	BER-L-9912-10	Dismiss	Non-Compliance with CMO 39
Toya Oyeilumi	BER-L-9932-10	Dismiss	Non-Compliance with CMO 39
Stephanie Fitts	BER-L-9915-10	Dismiss	Non-Compliance with CMO 39
Kimberely Mitchell	BER-L-9937-10	Dismiss	Non-Compliance with CMO 39
Jennifer Gill	BER-L-9867-10	Dismiss	Non-Compliance with CMO 39
Jessica Uribe	BER-L-9874-10	Dismiss	Non-Compliance with CMO 39
Rebecca Loudon	BER-L-3760-10	Dismiss	Non-Compliance with CMO 39
Jill Cooper	BER-L-9925-10	Dismiss	Non-Compliance with CMO 39
Alanna Dorsett	BER-L-9934-10	Dismiss	Non-Compliance with CMO 39
Jane Aseltyne	BER-L-9931-10	Dismiss	Non-Compliance with CMO 39
Sabrinia Annis	BER-L-9918-10	Dismiss	Non-Compliance with CMO 39
Lauren Flanagan	BER-L-9871-10	Dismiss	Non-Compliance with CMO 39
Ivonne Marie Garcia	BER-L-9883-10	Dismiss	Non-Compliance with CMO 39
Michelle Karhoff	BER-L-9898-10	Dismiss	Non-Compliance with CMO 39
Michelle Mascolo	BER-L-9921-10	Dismiss	Non-Compliance with CMO 39
Lisa Schmalbach	BER-L-9936-10	Dismiss	Non-Compliance with CMO 39
Jillian Taylor	BER-L-9927-10	Dismiss	Non-Compliance with CMO 39
Shelby Money	BER-L-9910-10	Dismiss	Non-Compliance with CMO 39
Cindy Vides	BER-L-9895-10	Dismiss	Non-Compliance with CMO 39
Edna Nunez Ramos	BER-L-9893-10	Dismiss	Non-Compliance with CMO 39
Sandy Ocasio	BER-L-9889-10	Dismiss	Non-Compliance with CMO 39
Amanda McBride	BER-L-9899-10	Dismiss	Non-Compliance with CMO 39
Susan Paul	BER-L-9890-10	Dismiss	Non-Compliance with CMO 39
Stephanie Vitiello	BER-L-9897-10	Dismiss	Non-Compliance with CMO 39
Dana Luningham	BER-L-9880-10	Dismiss	Non-Compliance with CMO 39
Kelly Meredith	BER-L-9887-10	Dismiss	Non-Compliance with CMO 39
Irma Sanchez	BER-L-9913-10	Dismiss	Non-Compliance with CMO 39

Special Master Stephen A. Saltzburg's Reports Recommendations
for Motions to Dismiss with Prejudice Return date October 11, 2013

Christina Griffin	BER-L-9927-10	Dismiss	Non-Compliance with CMO 39
Erin Landrum	BER-L-9882-10	Dismiss	Non-Compliance with CMO 39
Erica Panico	BER-L-5708-11	Dismiss	Non-Compliance with CMO 39
Casey Drake	BER-L-6511-11	Dismiss	Non-Compliance with CMO 39
Amy Coady	BER-L-8550-11	Dismiss	Non-Compliance with CMO 39
Jacqueline Tronoosky	BER-L-450-12	Dismiss	Non-Compliance with CMO 39
Robyn Kravitz	BER-L-7699-11	Dismiss	Non-Compliance with CMO 39

Special Master Stephen A. Saltzburg's Reports Recommendations
for Motions to Dismiss with Prejudice Return date October 25, 2013

Plaintiff	Docket Number	Recommendation	Reason
Samantha Poland	BER-L-3832-10	Dismiss	Non-Compliance with CMO 39
Shannon Watkins	BER-L-5638-11	Dismiss	Non-Compliance with CMO 39
Victoria Riddle	BER-L-7081-11	Dismiss	Non-Compliance with CMO 39
Michelle Leiva	BER-L-7252-11	Dismiss	Non-Compliance with CMO 39
Emily Clack	BER-L-3857-10	Dismiss	Non-Compliance with CMO 39
Sarah Chaus	BER-L-1939-12	Dismiss	Non-Compliance with CMO 39
Catherine Wright	BER-L-10364-10	Dismiss	Non-Compliance with CMO 39
Emily Csernica	BER-L-1431-11	Dismiss	Non-Compliance with CMO 39
Dawn Medley	BER-L-9828-10	Dismiss	Non-Compliance with CMO 39
Brittney Martain	BER-L-6607-10	Dismiss	Non-Compliance with CMO 39
Michelle Mavroudis	BER-L-8609-11	Dismiss	Non-Compliance with CMO 39
Stephanie Deese	BER-L-7942-11	Dismiss	Non-Compliance with CMO 39
Jacquelyn McCann	BER-L-7188-11	Dismiss	Non-Compliance with CMO 39
Michelle Vigil	BER-L-9855-10	Dismiss	Non-Compliance with CMO 39
~~Jamie Banaszewski*~~	~~BER-L-6643-10~~	WITHDRAWN	WITHDRAWN
Alicia Ciari	BER-L-7239-11	Dismiss	Non-Compliance with CMO 39
Trista Williams	BER-L-3822-10	Dismiss	Non-Compliance with CMO 39
Rochelle Sommers	BER-L-7198-11	Dismiss	Non-Compliance with CMO 39
Reagan Strain	BER-L-1453-11	Dismiss	Non-Compliance with CMO 39
Judy Darby	BER-L-3777-10	Dismiss	Non-Compliance with CMO 39
Lisa Torres	BER-L-7189-11	Dismiss	Non-Compliance with CMO 39
Stacy Dinnel	BER-L-7184-11	Dismiss	Non-Compliance with CMO 39
Kristina Brown	BER-L-11798-10	Dismiss	Non-Compliance with CMO 39

* Withdrawn

Motions to Dismiss with Prejudice

Return date November 8, 2013

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Jennifer Cook	Pro Se	BER-L-2449-13	21-Mar-13	8-Jul-13	August 30, 20103

Motions to Dismiss with Prejudice

Return date November 22, 2013

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Amber Leigh Petrick	Pro Se	BER-L-9147-11	29-Sep-11	8-Jul-13	29-Aug-13

Motions to Dismiss with Prejudice

Return date December 6, 2013

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Patricia Ray	Pro Se	BER-L-10931-10	29-Oct-10	8-Jul-13	16-Oct-13
Tori Johnson	Pro Se	BER-L-5676-11	4/14/2011	8-Jul-13	16-Oct-13

Motions to Dismiss with Prejudice

Return date January 17, 2014

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Ashley Dunford	Pro Se	BER-L-3716-10	23-Dec-09	8-Jul-13	7-Nov-13
Megan Pessin	Pro Se	BER-L-12293-10	22-Dec-10	8-Jul-13	7-Nov-13

Motions to Dismiss with Prejudice

Return date January 31, 2014

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Cynthia Maddox	Williams Cuker Berezofsky	BER-L-3869-10	14-Dec-09	8-Jul-13	11-Dec-13
Dominique Graves	The Sanders Firm	BER-L-9930-10	4-Oct-10	8-Jul-13	11-Dec-13

Motions to Dismiss with Prejudice

Return date February 28, 2014

Plaintiff	Attorney/firm	Docket Number	Complaint Filed	Notices Due	Letter Sent/P
Victora Redman	Pro Se	3604-10	21-Oct-09	26-Mar-13	6-Dec-13

EXHIBIT B

VICTORIA REDMAN **Plaintiff,** **v.** **BAYER CORP., ET AL.,** **Defendants.**	**SUPERIOR COURT OF NEW JERSEY** **LAW DIVISION, BERGEN COUNTY** **DOCKET NO. BER-L-003604-10** **IN RE YAZ®, YASMIN®, OCELLA LITIGATION** **CASE CODE 287** **SPECIAL MASTER'S REPORT AND RECOMMENDATION**

Bayer has moved to dismiss this action for failure to serve preservation notices required by Case Management Order No. 39 ("CMO 39").

Plaintiff filed her complaint on October 21, 2009. She alleged a gallbladder injury as a result of her ingestion of YAZ and Yasmin. Pursuant to Section II of CMO 39, Ms. Redman was required to produce certain discovery materials by July 22, 2013. These included expert reports on general and specific causation. Section II.E of CMO 39 provides as follows: "Plaintiffs who fail to fully comply with the requirements of this Order shall be given notice of such failure by e-mail or fax from Defendants' Liaison Counsel or his/her designee and shall be provided thirty (30) additional days to cure such deficiency ("Cure Period"). No other extensions will be granted. If Plaintiff fails to cure the deficiency within the Cure Period, Defendant's Liaison Counsel or his/her designee shall file a Motion to Dismiss the Gallbladder Claim with prejudice. Plaintiff shall thereupon have thirty (30) days to respond to the Motion to Dismiss. Any failure to respond to the Motion to Dismiss within the required period of time shall lead to the dismissal of the Gallbladder Claim with prejudice, except for good cause shown."

I have examined the motion papers submitted by Bayer. It appears that Bayer sent a letter by Federal Express to the Plaintiff on December 6, 2013 pointing out the failure to comply with CMO 39 and warning her that Bayer would move to dismiss if there was no compliance by January 5, 2014.[1] Bayer thereafter filed its motion to dismiss on January 7, 2014. Plaintiff has had 30 days to respond and has filed no response.

The Court appointed me Special Master in Section III of CMO 39 to make recommendations on motions. I have considered the provisions of CMO 39 and the material submitted by Bayer in support of its motion.

Since Ms. Redman has not complied with Section I.D. of CMO 39 and has not cured her failure to comply, I recommend that the Court grant Bayer's motion to dismiss.

DATE: February 18, 2014

/s Stephen A. Saltzburg
Special Master

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[1] It appears that the Court granted a motion by counsel to withdraw from the case on August 26, 2013.