

SUPREME COURT OF NEW JERSEY

On application made pursuant to Rule 4:38A and the Mass Tort Guidelines promulgated by Directive #11-03 in accordance with that Rule, it is hereby ORDERED that all pending and future actions seeking damages or other relief arising out of alleged injuries from the use of the Ortho Evra birth control patch are designated as a mass tort for centralized case management purposes; and

It is FURTHER ORDERED that any and all such complaints that have been filed in the various counties and that are under or are awaiting case management and/or discovery shall be transferred from the county of venue to Superior Court, Law Division, Middlesex County (Vicinage No. 8), and assigned for management purposes to the Honorable Bryan D. Garruto; and

It is FURTHER ORDERED that venue in all existing Ortho Evra birth control patch cases is transferred to Middlesex County; and that, pursuant to N.J.Const. (1947), Art. VI, sec. 2, par. 3, the provisions of Rule 4:3-2 governing venue in the Superior Court are supplemented and relaxed so that all future such complaints, no matter where they might be venued, shall be filed in Middlesex County and assigned to Judge Garruto for management; and

It is FURTHER ORDERED that Judge Garruto shall oversee all management and trial issues for such cases and may, in his discretion, return such cases to the original county of venue for disposition; and

It is FURTHER ORDERED that no Special Master may be appointed in this litigation without the express approval of the Chief Justice.

For the Court,
/s/ Deborah T. Poritz
Chief Justice

Dated: October 10, 2006