

IN RE: LEVAQUIN LITIGATION

**FILED**

**OCT 15 2019**

Judge James F. Hyland

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 286

**CASE MANAGEMENT ORDER NO. 38**

**THIS MATTER** having come before the Court during the October 8, 2019 Case Management Conference, and for good cause shown,

**IT IS** on this 15<sup>th</sup> day of October, 2019, **ORDERED**, as follows:

1. In the Warnet (MID-L-9956-14) matter:
  - a. Defense expert reports on liability and damages shall be served on or before December 9, 2019;
  - b. Plaintiff has only one expert on liability and damages, Dr. Thomas Zizic; he shall be deposed in New Jersey on or before January 15, 2020
  - c. Defense expert depositions shall begin after Dr. Zizic's deposition and be completed on or before February 18, 2020;
  - d. Payment of fees in connection with expert depositions shall be governed by Rule 4:10-2(d)(2); and
  - e. The parties shall confer and submit to the Court a proposed pre-trial scheduling order.
2. In the Utz (MID-L-9959-14) matter, Defendants may file a motion to dismiss for plaintiff's failure to serve expert reports pursuant to Case Management Order No. 37.
3. Within ten (10) days of the date of this Order, Ross Feller Casey, LLP shall file substitutions of counsel in the following matters, or the cases will be dismissed with prejudice:

Plaintiff	Docket No.
Albrecht, Neil	MID-L-9735-14
Brown, Karen	MID-L- 10030-14
Decker, Phillip	MID-L- 9841-14

Plaintiff	Docket No.
Griner, Sharon	MID-L- 9914-14
Hartzband, David	MID-L-9851-14
Hixson, Perry	MID-L-9886-14
Jordan, Marie	MID-L-9905-14
Myers, Valerie	MID-L-9865-14
Ritzco, Susan	MID-L-9786-14
Silvershein, Greg	MID-L-9948-14
Fischer, William	MID-L-9857-14

4. The next case management conference will be held on **February 19, 2020** at 10:00 a.m.



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HON. JAMES F. HYLAND, J.S.C.