

FILED

JUNE 14, 2021

HON. BRUCE J. KAPLAN, J.S.C.

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Attorneys for Defendants

Johnson & Johnson, Janssen Research & Development, LLC,
and Janssen Pharmaceuticals, Inc.

WILLIAM P. FISCHER and PHYLLIS
FISCHER,

Plaintiffs,

v.

JOHNSON & JOHNSON, JANSSEN
RESEARCH & DEVELOPMENT LLC, and
JANSSEN PHARMACEUTICAL, INC.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
CIVIL ACTION

Docket No.: MID-L-9857-14

ORDER

THIS MATTER having come before the Court during the March 16, 2021 Case Management Conference, pursuant to the Court's March 31, 2021 Order, and for good cause shown;

IT IS on this 14th of June 2021, hereby:

ORDERED that within 45 days of the date of this Order, plaintiffs shall serve on defendants a fully complete, updated, and executed Plaintiff Fact Sheet ("PFS") pursuant to Case Management Order No. 3, including ink-signed medical authorization forms and all medical records and documents responsive to PFS, Section IX, including but not limited to all

contemporaneous medical records that document an alleged Levaquin-related event; and it is further

ORDERED that Defendants' request that by 90 days of the date of this Order, plaintiffs shall serve on defendants a case specific expert report from a physician who is licensed to practice medicine in the United States and qualified to render a specific causation opinion addressing to a reasonable degree of medical probability when and how, if ever, plaintiff experienced a Levaquin-related event based on contemporaneous medical records attached to the report is hereby **DENIED without prejudice**; and it is further

ORDERED that the Motion of Plaintiff's counsel to be relieved as counsel, returnable June 11, 2021, is hereby carried sixty (60) days to Tuesday, August 10, 2021, to be heard via Zoom at 9:00 am; and it is further

ORDERED that no later than forty-five (45) days from the date of this order all counsel may file supplemental briefing in support of their respective positions. This will include, but not be limited to, the forwarding of documents for *in camera* review, if appropriate; and it is further

ORDERED that a copy of this Order shall be deemed served upon its filing to eCourts. Movant shall serve all parties not electronically served within seven (7) days of the date of this Order in accordance with Rule 1:5-1(a) by regular and certified mail.

151 Bruce J. Kaplan

HONORABLE BRUCE J. KAPLAN, J.S.C.

OPPOSED

On this date, pursuant to R.1:6-2
the Court's statement of reasons
have been set forth on the record.