OMNIBUS MTD No. 5

COUGHLIN DUFFY LLP

Lorna A. Dotro, Esq. – ID No. 031351997 350 Mount Kemble Avenue P.O. Box 1917

Morristown, New Jersey 07962-2075

Telephone: (973) 267-0058 Facsimile: (973) 267-6442

Attorney for Defendant Bayer HealthCare Pharmaceuticals Inc.

FILED

JUN 2 6 2015

BRIAN R. MARTINOTTI

PAULINE HOYLER,

Plaintiff,

v.

BAYER CORP., BAYER HEALTHCARE, LLC, BAYER PHARMACEUTICALS CORP., BAYER HEALTHCARE PHARMACEUTICALS INC., BERLEX LABORATORIES, INC., BERLEX, INC., BAYER AG, BAYER OY, and ABC CORPS. 1–10.

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION BERGEN COUNTY

DOCKET NO.: BER-L-6391-14.

Civil Action

In Re: Mirena Litigation Case No. 297

ORDER ON MOTION TO DISMISS FOR FAILURE TO PROVIDE A PLAINTIFF FACT SHEET CONTAINING ALL CORE CRITERIA

THIS MATTER having been brought before the Court by way of motion of Coughlin Duffy LLP, counsel for defendant Bayer HealthCare Pharmaceuticals Inc. ("Defendant"), for an Order dismissing Plaintiff's Complaint for failure to provide a Plaintiff Fact Sheet containing all Core Criteria pursuant to Case Management Orders No. 3 and 24; and the Court having considered the papers submitted; and the Court having heard the arguments of counsel, if any; and for good cause shown;

IT IS ORDERED that the Complaint of Plaintiff Pauline Hoyler is hereby dismissed without prejudice; and it is further

ORDERED that Plaintiff Pauline Hoyler shall have 90 days from the date of this Order to serve upon Defendant a Completed Plaintiff Fact Sheet containing all Core Criteria, and move

OMNIBUS MTD No. 5

before this Court for reinstatement of the Complaint and payment of the appropriate fee; and it is further

ORDERED that if Plaintiff Pauline Hoyler fails to provide a Completed Plaintiff Fact Sheet containing all Core Criteria within 90 days from the date of this Order, Defendant may file a Motion to Dismiss this action with prejudice; and it is further

ORDERED that a signed copy of this Order be served upon all counsel within seven (7) days of the date hereof.

[] Opposed

Unopposed

___, J.S.C

HONORABLE BRIAN R. MARTINOTTI, J.S.C.