FILED

JUN 16 2022 John C. Porto, Acting P.J.Cv.

## PREPARED BY THE COURT

IN RE PROCEED MESH LITIGATION (Proceed Surgical Mesh and Proceed Ventral Patch Hernia Mesh)

SUPERIOR COURT OF NEW JERSEY LAW DIVISION ATLANTIC COUNTY

NAKEISHA NEWBURN,

Plaintiff,

MCL Case No 630 Master Case No. ATL-L-794-19

v.

Docket No.: ATL-L-1080-19

JOHNSON & JOHNSON and ETHICON, INC.,

**CIVIL ACTION** 

Defendants.

**ORDER** 

**THIS MATTER** having been opened to the Court upon the motion of Wilentz, Goldman & Spitzer, a Professional Corporation, counsel for Plaintiff, and the Court having considered the moving papers, and for other good and just cause shown;

## IT IS on this 16th day of June, 2022, ORDERED that:

- 1. Plaintiff is hereby granted leave to file a First Amended Complaint, as set forth in the accompanying Certification, to substitute Sonja Aubrey, as Personal Representative of the Estate of Nakeisha Newburn, in place of Plaintiff, Nakeisha Newburn, deceased; and
- 2. All Defendants who have been served with the motion papers shall be deemed to have been served with the First Amended Complaint and

Defendants' previously filed Answers and Cross-Claims shall be deemed responsive to the amended pleadings.

IT IS FURTHER ORDERED that service of this Order shall be effectuated upon all parties upon its upload to eCourts and pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this Order.

JOHN C. PORTO, Acting P.J.Cv.

Opposed

□ Unopposed

IN RE PROCEED MESH LITIGATION:

(Proceed Surgical Mesh and Proceed:

Ventral Patch Hernia Mesh)

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION

ATLANTIC COUNTY

NAKEISHA NEWBURN,

Case No. 630

Master Case No. ATL-L-794-19

Plaintiff,

V.

Docket No.: ATL-L-1080-19

**CIVIL ACTION** 

JOHNSON & JOHNSON and

ETHICON, INC.,

Defendants.

**MEMORANDUM OF DECISION** 

On June 8, 2022, Plaintiff, Nakeisha Newburn, filed a Notice of Motion for Leave to File an Amended Complaint to substitute Sonja Aubrey, as Personal Representative of the Estate of Nakeisha Newburn, in place of Plaintiff, Nakeisha Newburn, who passed away on January 9, 2019. The Motion is unopposed.

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Having reviewed the above motion and certification, the Court finds it is meritorious on its face and in compliance with R. 4:9-1. Pursuant to R. 1:6-2(f) the motion is granted essentially for the reasons set forth in the moving papers.

All Defendants who have been served with the motion papers shall be deemed to have been served with the First Amended Complaint. No responsive pleadings by Defendants are required, and Defendants' Answers and cross-claims are deemed responsive to the First Amended Complaint.

An Order commensurate with this Court's decision is entered on eCourts.

Dated: JUN

2022

JOHN C. PORTO, Acting P.J.Cv.