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FILED

SEP 13 2022

JOHN C. PORTO, P.J.Cv.

Attorneys for Plaintiff David Huggins, Deceased

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

DAVID HUGGINS [deceased],

Plaintiff,

v.

JOHNSON & JOHNSON and ETHICON,
INC.,

Defendants,

: MCL CASE NO. 630
: MASTER DOCKET NO: ATL-L-794-19
:
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: ATLANTIC COUNTY
: CIVIL ACTION
:
: DOCKET NO. ATL-L-2606-19

**ORDER GRANTING
PLAINTIFF'S MOTION TO VACATE
DISMISSAL OF PLAINTIFF'S
COMPLAINT AND FOR LEAVE TO
FILE A FIRST AMENDED
COMPLAINT**

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

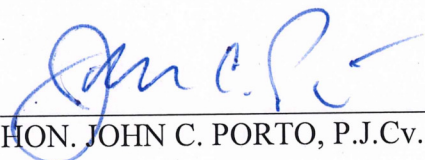
IT IS on this 13th day of September, 2022;

ORDERED that Plaintiff's Motion to Vacate Dismissal of Plaintiff's Complaint is hereby granted; and it is further

ORDERED that plaintiff is hereby granted leave to file a First Amended Complaint, as set forth in the accompanying Certification, to substitute David Ray Huggins, Jr., as Personal Representative of the Estate of David Huggins for plaintiff David Huggins, deceased; and

IT IS FURTHER ORDERED that 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; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all counsel of record within 7 days of the date of its entry.


HON. JOHN C. PORTO, 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
Case No. 630

DAVID HUGGINS [deceased];

Master Case No. ATL-L-794-19

Plaintiff,

Docket No.: ATL-L-2606-19

v.

JOHNSON & JOHNSON and
ETHICON, INC.,

CIVIL ACTION

Defendants.

MEMORANDUM OF DECISION

On August 22, 2022, Plaintiff filed a Notice of Motion to Vacate Dismissal of Plaintiff's Complaint and for Leave to File First Amended Complaint, substituting David Ray Huggins, Jr., as Personal Representative of the Estate of David Huggins for plaintiff David Huggins, Deceased. David Ray Huggins, Sr. passed away on November 4, 2021.

The Motion is unopposed.

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: September 13, 2022



JOHN C. PORTO, P.J.Cv.