

#545

BATHGATE, WEGENER & WOLF PC  
1 Airport Road  
Lakewood, New Jersey 08701  
Tel: (732) 363-0666  
Attorneys for Plaintiff Max Apel and Joan Apel, his wife

**FILED**

DEC 16 2011

JUDGE JESSICA R. MAYER

MAX APEL and JOAN APEL, his wife, :  
 :  
 Plaintiffs, :  
 v. :  
 :  
 JOHNSON & JOHNSON, JOHNSON & :  
 JOHNSON PHARMACEUTICAL RESEARCH & :  
 DEVELOPMENT L.L.C., JANSSEN :  
 PHARMACEUTICAL PRODUCTS, L.P., :  
 ASTRAZENECA PHARMACEUTICALS, L.P., :  
 ASTRAZENECA, L.P., SURINDERJEET :  
 SANDHU, M.D., PREFERRED BEHAVIORIAL :  
 HEALTH OF NEW JERSEY, INC., ABC CORP. :  
 #1-25 (being fictitious names for persons or entities :  
 whose roles and identities are presently unknown), :  
 JOHN DOES #1-25 (being fictitious names for :  
 persons or entities whose roles and identities are :  
 presently unknown), :  
 Defendant(s). :

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-010623-09 MT

Civil Action  
(Medical Malpractice)  
and  
(Product Liability)

(IN RE RISPERDAL/SEROQUEL  
/ZYPREXA LITIGATION 274)

**ORDER**

THIS MATTER having been opened to the Court upon the application of Bathgate, Wegener & Wolf, P.C., attorneys for Plaintiffs Max Apel and Joan Apel for an Order seeking leave to file a Third Amended Complaint to add and/or substitute fictitiously named party defendants pursuant to R. 4:9-1, R. 4:9-3 and/or R. 4:26-4; and the Court having considered the moving papers ~~and any opposition filed thereto~~; and for good cause shown

IT IS on this 16<sup>th</sup> day of December of 2011;

ORDERED that Plaintiffs' motion be and is hereby GRANTED; and it is further

ORDERED that Plaintiffs be and are hereby PERMITTED LEAVE TO FILE AND SERVE A THIRD AMENDED COMPLAINT within twenty (20) days of the date of this

order to add and/or substitute Kimball Medical Center, Kimball Northeast Short Term Care Unit and Sirajuddin Ismail, M.D. as defendants; and it is further

**ORDERED** that a copy of this Order shall be <sup>listed on line</sup> ~~listed~~ by the court for all counsel of record within 7 days of the date hereof.

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

Opposed  Unopposed

PAPERS CONSIDERED:

- Notice of Motion
- Movant's Affidavits
- Movant's Brief
- Answering Affidavits
- Answering Brief
- Cross-Motion
- Movant's Reply
- Other \_\_\_\_\_

**UNOPPOSED**

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."