

IN RE STRYKER REJUVENATE &
ABG II MODULAR HIP
IMPLANT LITIGATION

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

This Document Relates To the Following
Matter Only:

CASE NO. 296
Master Docket No. BER-L-936-13 MCL
Individual Case Docket No. BER-L-3661-13

Berner, Constance BER-L-3661-13

**ORDER REGARDING NOTICE TO
NAMED PLAINTIFF: C. BERNER**

Pursuant to the New Jersey Supreme Court's Order of January 15, 2013, MCL No. 296 (Master Docket Number BER-L-936-13) was assigned to this Court for centralized case management.

As part of its management obligations, this Court recently undertook an updated review of the pending docket and identified the categories of cases that remain pending on this 2013 MCL docket. On April 25, 2023, an Order was entered identifying the remaining categories of cases that did not qualify for settlement, but have not taken any steps to advance the cases to trial.

Included in the April 25, 2023 Order was the above captioned case, which involves a Claimant who enrolled in the settlement program, but has been determined to be ineligible for an award. The Order noted that if this case is not voluntarily dismissed in the next thirty (30) days, then this Court will conduct a hearing on May 24, 2023 to determine the viability of this remaining matter proceeding. As of this date, the matter remains pending on this Court's docket.

Accordingly, pursuant to its inherent authority and case management duties assigned to this Court, the following Order is issued:

IT IS on this 5 day of May 2023 **ORDERED:**

Only the following matter is within the scope of this Order:

- **BERNER, Constance**, BER-L-3661-13

1. Plaintiff Constance Berner and her current counsel shall appear Via Telephonic

FILED

MAY 05 2023

**RACHELLE L. HARZ
J.S.C.**

Conference or Zoom conference and show cause on May 24, 2023 at 2:15 PM Eastern Time why this unqualified, ineligible settlement claimant case should not be removed from the trial calendar and dismissed from the MCL docket with prejudice;

2. The May 24, 2023 at 2:15 Eastern Time conference information is as follows:

To Join VIA TELEPHONE:

Dial in: +1 646 828 7666
Meeting ID: 160 079 9423
Password: 968492

- To join the NJCourts Virtual Courtroom:

Via Zoom App:

Open the application and click “join a meeting”
Enter meeting ID
Type in your name to appear in the participants list
Click on the “join” button
You will now be asked to provide the meeting passcode.

On a Desktop/Laptop Computer:

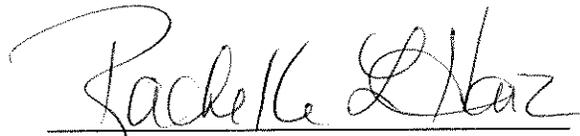
Type the highlighted link below, into your web browser and click “Launch Meeting”
You will need the meeting ID and passcode to join
Type in your name to appear in the participants list

<https://njcourts.zoomgov.com/j/1600799423?pwd=MExwcTUxSllKVHh3dnJiWUtyalljQT09>

Meeting ID: 160 079 9423
Password: 968492

3. If Plaintiff fails to appear at the conference then the Court shall dismiss this lawsuit with prejudice and without further notice.

Dated: May 5, 2023


HON. RACHELLE L. HARZ, J.S.C.