

NOTICE TO THE BAR

RE: Designation of Vioxx Litigation as a Mass Tort

Accompanying the publication of this Notice to the Bar is a copy of the [Supreme Court's May 20, 2003](#) Order designating all pending and future litigation statewide involving the drug [Vioxx](#) as a mass tort and transferring the management of all such cases to Atlantic County to be handled on a coordinated basis by the Honorable Carol E. Higbee.

All questions relating to this matter should be directed to the following:

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Richard J. Williams, J.A.D.
Administrative Director of the Courts
Dated: June 6, 2003

ORDER

It is hereby ORDERED that, in the matter of all pending and future litigation involving damages or other relief arising out of the manufacture, sale, distribution and/or use of the drug Vioxx, all complaints that have been filed in the various counties and that are under case management or in discovery or awaiting case management and discovery are transferred from the county of venue to Superior Court, Law Division, Atlantic County (Vicinage No. 1), and assigned to Superior Court Judge Carol E. Higbee;

It is FURTHER ORDERED that venue in all existing such litigation as specified above is transferred to Atlantic County (Vicinage No. 1); and

It is FURTHER ORDERED that, pursuant to N.J. Const. (1947), Art.VI, sec.2, par.3, Rule 4:3-2 governing venue in the Superior Court is supplemented and relaxed so that all future complaints seeking damages or other relief arising out of the manufacture, sale, distribution and/or use of the drug Vioxx, no matter where they might be venued, shall be transferred to Atlantic County (Vicinage No. 1) and assigned to Judge Higbee; and

It is FURTHER ORDERED that Judge Higbee shall oversee all management and trial issues for such cases and may, in her discretion, return such cases to the original county of venue for disposition; and

It is FURTHER ORDERED that no Special Master may be appointed in this litigation without the express approval of the Chief Justice.

For the Court
Deborah T. Poritz
Chief Justice

Dated: May 20, 2003