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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
Docket No. L-1669-01
Mass Tort Code 248

KATHLEEN JANES, et al.,

Plaintiffs,

vs.

CIBA-GEIGY CORPORATION, et al.,

Defendants.

Civil Action

ORDER

FILED

OCT 28 2005

JUDGE ANN McCORMICK

This matter having come before the Court on October 21, 2005 on plaintiffs' motion for an Order striking the Ciba defendants' statute of limitations defense, and the Ciba defendants having cross-moved for an Order declaring the continuing tort exception to the statute of limitations is not applicable in this case, and the Court having heard oral argument and considered all of the papers, and for good cause the reasons stated on the record which are incorporated herein, it is hereby on this the 28 day of October, 2005, ORDERED that

FOR THE REASONS SET FORTH
ON THE RECORD ON 10/28/05

1. plaintiffs' motion is denied;
2. the Ciba defendants' cross-motion is granted; *with*
3. ~~the continuing tort exception to the statute of limitations defense is not applicable in this case;~~
4. ~~based upon the Order entered by the Court on September 9, 2005 and the Report and Recommendation of Special Master Robert I. Clifford dated April 18, 2005, plaintiffs' claims are time-barred;~~
5. ~~based upon the Order entered by Judge Corodemus on May 16, 2003, the class is hereby decertified;~~
6. the Second Amended Complaint is hereby dismissed as to all parties with prejudice, ~~and with costs;~~ and

7. a copy of this Order shall be provided to all counsel of record within 7 days hereto.



Hon. Ann G. McCormick, J.S.C.

PAPERS CONSIDERED

	<u>Yes</u>	<u>No</u>	<u>Date</u>
Notice of Motion	_____	_____	_____
Movant's affidavits	_____	_____	_____
Movant's brief	_____	_____	_____
Answering affidavits	_____	_____	_____
Answering brief	_____	_____	_____
Cross motion	_____	_____	_____
Movant's Reply	_____	_____	_____
Other _____	_____	_____	_____