

REILLY, MCDEVITT, & HENRICH, P.C.  
3 EXECUTIVE CAMPUS, SUITE 310  
CHERRY HILL, NEW JERSEY 08002  
(856) 317-7180  
BY: TRACEY MCDEVITT HAGAN  
IDENTIFICATION NO. 041441996  
RYAN A. NOTARANGELO, ESQUIRE  
IDENTIFICATION NO. 143912015  
ATTORNEYS FOR DEFENDANT,  
SCHWARZ PHARMA, INC. N/K/A UCB, INC.

FILED  
AUG 31 2018  
Judge James F. Hyland

IN RE: REGLAN LITIGATION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
COUNTY  
MASTER DOCKET: MID-L-10165-14

CASE NO.: 289

Civil Action

Docket No. MID-L-10176-14

**ORDER CONVERTING BASIS OF  
DISMISSAL OF CLAIMS OF  
PLAINTIFF CHARLES SHUMWAY  
AGAINST SCHWARZ AND ACTAVIS  
ONLY**

*Charles Shumway*

The Court has previously dismissed Plaintiff Charles Shumway's claims against Defendants Schwarz Pharma, Inc. n/k/a UCB, Inc. ("Schwarz") and Actavis Elizabeth LLC f/k/a Purepac Pharmaceutical Co. ("Actavis") with prejudice pursuant to Joint Stipulations and Orders addressing the effectuation of Plaintiff's prior agreement to settle with those Defendants. As part of those Joint Stipulations and Orders, Plaintiff was required to submit the necessary releases and supporting documentation. In Case Management Order No. 30, the Court ordered that Plaintiff had ninety (90) days from March 20, 2018 to initiate court proceedings to substitute an appropriate representative with authority to execute the required releases and supporting documentation or Schwarz and Actavis were permitted to move to convert the basis for dismissal with prejudice of claims asserted against them.

Plaintiff did not fulfill the conditions of CMO 30 and, accordingly, has failed to respond to the respective settlement offers of Schwarz and Actavis.

**THIS MATTER** having been submitted to the Court by Reilly, McDevitt, & Henrich, P.C., attorneys for Defendant, Schwarz Pharma, Inc. n/k/a UCB, Inc., pursuant to R. 1:6-2, and the Court having reviewed the moving papers and for good cause having been shown;

It is, on this 31<sup>ST</sup> day of August, 2018,

**IT IS HEREBY ORDERED** that the dismissals with prejudice of all claims asserted against Schwarz and Actavis pursuant to the Schwarz and Actavis Joint Stipulations, respectively, are converted to dismissals with prejudice for Shumway's failure to respond to the respective settlement offers of Schwarz and Actavis and to comply with CMO 30.

**IT IS FURTHER ORDERED** that a true copy of this Order be served on all counsel within 10 days of the date hereof.

**SO ORDERED:**

  
\_\_\_\_\_  
HONORABLE James F. Hyland, J.S.C.

opposed  
 unopposed