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FILED
NOV 1 9 2014
BRIAN R. MARTINOTTI
J.S.C.

DEBBIE STAFFORD, AS PERSONAL,	:	SUPERIOR COURT OF NEW JERSEY
REPRESENTATIVE OF THE ESTATE	:	LAW DIVISION: BERGEN COUNTY
THOMAS ROOT, DECEASED,	:	
	:	
Plaintiff,	:	
	:	Docket No. BER-L-7301-12
v.	:	
	:	CIVIL ACTION
DEPUY ORTHOPAEDICS, INC., et al.,	:	
	:	ORDER REINSTATING
Defendants.	:	PLAINTIFF'S COMPLAINT

THIS MATTER having been brought before the Court on the motion of Esther E. Berezofsky, Esquire, attorney for Plaintiff, by way of motion application for an Order reinstating Plaintiff's Complaint in the above-captioned matter, and the Court having heard the arguments of counsel in reconsideration of the Order entered on October 8, 2014 and for good cause having been shown;

IT IS on this 19th day of November, 2014,

ORDERED that the Court Order entered on October 8, 2014 has been reconsidered and **VACATED**; and

IT IS FURTHER ORDERED that Plaintiff's Complaint be and hereby is **REINSTATED**; and


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IT IS FURTHER ORDERED that Plaintiff's claims asserted against Defendants DePuy Orthopaedics, Inc., et al., are hereby **REINSTATED**; and

IT IS FURTHER ORDERED that a copy of this Order be served on all parties to this action within seven (7) days of the signing hereof.



Hon. Brian R. Martinotti, J.S.C.

Papers Considered:

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

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November 11, 2014

VIA FEDERAL EXPRESS

Hon. Brian R. Martinotti
Bergen County Justice Center
10 Main Street
Room 359
Hackensack, NJ 07601

Re: Root v. DePuy Orthopaedics, Inc., et al.
Docket No. BER-L-7301-12

Dear Judge Martinotti:

For the first time in his certification dated October 31, 2014, Alabama counsel, Navan Ward, Esq., affirms that the location of the explant is not known. With that he has complied with the Court's Order dated June 10, 2014, and the defense does not oppose reinstatement of the Complaint.

The defense does take strong issue with the misrepresentations and accusations in the certification of Alabama counsel for the plaintiffs.

Respectfully Submitted,

DRINKER BIDDLE & REATH LLP



Zoha Barkeshli

cc: Susan Sharko, Esq.
Navan Ward, Esq. (Via Electronic and Regular Mail)
Esther Berezofsky, Esq. (Via Electronic and Regular Mail)

Andrew B. Joseph
Partner responsible for
Florham Park Office

Established 1849

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Brian R. Martinotti
J.S.C.