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*Attorneys for Defendant
Teva Pharmaceuticals USA, Inc.,
Barr Pharmaceuticals LLC and
Barr Laboratories, Inc.*

FILED

FEB 06 2012

Carol E. Higbee, P.J.Cv.

IN RE: FOSAMAX LITIGATION :
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: ATLANTIC COUNTY
:
: CASE NO. 282
:
APPLIES TO ALL CASES :
:
:
:

CASE MANAGEMENT ORDER

THIS MATTER having come before this Court on January 19, 2012 and the parties having consented to the form and entry of this Order and for good cause shown,

IT IS on this 6 day of February, 2012 **ORDERED** as follows:

1. The Generic Defendants intend to file a Motion for Judgment on the Pleadings on the issue of federal preemption pursuant to the United States Supreme Court's ruling in *PLIVA, Inc. v. Mensing*, 564 U.S. ___, 131 S. Ct. 2567 (2011), *reh'g denied*. The Generic Defendants may file an Opening Brief on or before **March 16, 2012**; Plaintiffs' opposition shall be filed by **April 13, 2012**; and the Generic Defendants' Reply shall be filed by **April 27, 2012**. If the Generic Defendants choose not to file a Reply, they shall notify the Court in writing in advance of that deadline. Oral Argument will be set by the Court at a later date.

2. Generic Defendants' obligation to answer or otherwise respond to complaints in the above-captioned consolidated proceeding is hereby stayed pending decision on the foregoing Motion. Attached as Schedule A is a list of cases served on the specified Generic Defendants as of January 20, 2012, which shall be subject to the stay. All complaints filed and/or served on Generic Defendants on or after January 20, 2012 also shall be subject to the stay. The cases subject to the stay shall not be procedurally dismissed pursuant to R. 1:13-7.



Carol E. Higbee P.J. Cv.

SCHEDULE A

Case	Docket Number	Generic Defendants with answers subject to stay
Barrett, Esmeralda and David E.	10617-11	Teva Pharmaceuticals USA, Inc.
Berardone, Sandra and Arthur	9097-11	Watson Pharmaceuticals, Inc.
Boe-Ginani, Sonja and James	9648-11	Teva Pharmaceuticals USA, Inc.
Booth, Chutaruth and Keith	10431-11	Watson Laboratories, Inc.
Bratton, Donna	86-12	Watson Pharmaceuticals, Inc. Watson Laboratories, Inc.
Brown, Constance	0002-12	Teva Pharmaceuticals USA, Inc.
Carlson, Lorraine	10703-11	Apotex Corp. Caraco Teva Pharmaceuticals USA, Inc. Barr Pharmaceuticals LLC Barr Laboratories, Inc. Watson Pharmaceuticals, Inc. Watson Laboratories, Inc. Mylan Inc. Mylan Pharmaceuticals Inc.
Carson, Diane	9452-11	Watson Pharmaceuticals, Inc. Watson Laboratories, Inc.
Dawson, Maria A. and Thomas H.	9950-11	Teva Pharmaceuticals USA, Inc.

Deal, Chong Ae	10151-11	Teva Pharmaceuticals USA, Inc.
DePollo, Virginia and John C.	10701-11	Teva Pharmaceuticals USA, Inc.
DeSousa, Anna	10429-11	Watson Pharmaceuticals, Inc.
Douglas, Alice	3740-11	Barr Laboratories, Inc.
Falcone, Annette and Aurelio	111-12	Apotex Corp.
Feldman, Myrna and Stephen	9198-11	Watson Pharmaceuticals, Inc. Watson Laboratories, Inc.
Garland, Lee and John	10759-11	Apotex Corp. Caraco Watson Pharmaceuticals, Inc. Watson Laboratories, Inc. Mylan Inc. Mylan Pharmaceuticals Inc. UDL Laboratores, Inc. Northstar Rx, LLC
Hennessey, Janis and Barry	9097-11	Watson Pharmaceuticals, Inc.
Hollander, Diane L. and David P.	10579-11	Watson Pharmaceuticals, Inc. Teva Pharmaceuticals USA, Inc.
Hill, Eileen	10279-11	Apotex Corp. Watson Pharmaceuticals, Inc.
Hollinghurst, Takeko	8667-11	Apotex Corp. Barr Laboratories, Inc.
Jarmie, Marilyn and Mark	9631-11	Teva Pharmaceuticals USA, Inc.

		Barr Pharmaceuticals LLC Barr Laboratories, Inc.
Johnson, Patricia	60-12	Watson Pharmaceuticals, Inc. Watson Laboratories, Inc. Mylan Inc. Mylan Pharmaceuticals Inc.
Kossoff, Marion	10201-11	Apotex Corp. Caraco Teva Pharmaceuticals USA, Inc. Barr Pharmaceuticals, Inc. Barr Laboratories, Inc. Cobalt Laboratories, Inc. Watson Pharmaceuticals, Inc. Mylan Inc. Mylan Pharmaceuticals Inc.
Lee, Margaret	10410-11	Teva Pharmaceuticals USA, Inc.
Liu, Jean and Wang, Been Z.	10685-11	Apotex Corp. Cobalt Laboratories, Inc.
Losey, Deborah	10277-11	Teva Pharmaceuticals USA, Inc.
Major, Virginia	10245-11	Watson Pharmaceuticals, Inc. Watson Laboratories, Inc.
Martin, Margaret P.	9272-11	Teva Pharmaceuticals USA, Inc.
McMahon, Carol A. and James P.	9636-11	Teva Pharmaceuticals USA, Inc.
Merrill, Diane and Isaacson,	10702-11	Teva Pharmaceuticals USA, Inc.

Alan		
Neumann, Virginia	10152-11	Teva Pharmaceuticals USA, Inc.
O'Day, Ardith	10276-11	Teva Pharmaceuticals USA, Inc.
Owenby, Oneita and Mark K.	9844-11	Teva Pharmaceuticals USA, Inc.
Patterson, Dixie	10694-11	Teva Pharmaceuticals USA, Inc. Mylan Inc. Mylan Pharmaceuticals Inc. Northstar Rx, LLC
Payne, Juanita	10470-11	Teva Pharmaceuticals USA, Inc. Barr Pharmaceuticals, Inc. Barr Laboratories, Inc.
Protich, Linda and Michael	7622-11	Apotex Corp.
Rall, Kathy	3978-10	Teva Pharmaceuticals USA, Inc. Barr Pharmaceuticals, Inc. Barr Laboratories, Inc.
Saik, Millicent	10681-11	Watson Pharmaceuticals, Inc.
Schiro, Patricia and George	9683-11	Watson Pharmaceuticals, Inc. Northstar Rx, LLC
Smyth, Anne B.	10355-11	Teva Pharmaceuticals USA, Inc.
Tomlinson, Wilma J.	10698-11	Apotex Corp. Teva Pharmaceuticals USA, Inc. Barr Pharmaceuticals LLC Barr Laboratories, Inc.

Trujillo, Kathleen	0001-12	Teva Pharmaceuticals USA, Inc.
Wilkins, Mary Catherine and John	10248-11	Apotex Corp.
Wilson, Robin Ann	9681-11	Watson Pharmaceuticals, Inc.
Wolnik, Glenda and Anthony	259-12	Apotex Corp. Watson Pharmaceuticals, Inc.
Yeazel, Phyllis	10699-11	Teva Pharmaceuticals USA, Inc. Watson Pharmaceuticals, Inc. Watson Laboratories, Inc. Mylan Inc. Mylan Pharmaceuticals Inc. UDL Laboratores, Inc. Northstar Rx, LLC