

IN RE: LEVAQUIN LITIGATION

**FILED**

FEB 08 2018

Judge James F. Hyland

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
CASE NO. 286

**CASE MANAGEMENT ORDER NO. 34**

**THIS MATTER** having come before the Court during the January 24, 2018 Case Management Conference, and for good cause shown,

**IT IS** on this 8th day of February, 2018, **ORDERED**, as follows:

1. In the Krzyzkowski (MID-L-9764-14) and Warnet (MID-L-9956-14) matters, plaintiffs' case specific expert reports, limited to medical causation, must be served on or before **April 1, 2018**.

2. In light of the history of this coordinated litigation where discovery from the Defendants was extensive and completed some years ago, Plaintiffs' counsel shall immediately contact Plaintiffs' Court-appointed current and former Liaison Counsel Steven Berman, Napoli Shkolnik, PLLC, Richard Meadow, Lanier Law Firm, and Michael London, Douglas & London, P.C., to get the Defendants' prior discovery responses, document productions, and deposition transcripts and provide proof of same to the Defendant and the Court.

3. In the Arthur (MID-L-10033-14) matter, plaintiff's case specific expert reports, including but not limited to medical causation, must be served on or before **March 26, 2018**.

4. Plaintiff's counsel in Hall (MID-L-9962-14) shall arrange mutually convenient, consecutive dates for the depositions of plaintiff and the prescribing physicians identified by the defendants to take place in Spring Valley, OH. Plaintiffs' counsel shall issue subpoenas for the prescribing physicians' depositions and provide proof of same to the Defendant and the Court.

5. In the Lynn (MID-L-9906-14) matter, plaintiff's case specific expert reports, including but not limited to medical causation, must be served on or before **March 26, 2018**.


6. In the Costello (MID-L-9896-14) and O'Conner (MID-L-10039-14) matters, defendants may file motions for summary judgment based upon the testimony of plaintiffs' prescribing physicians.

7. In the Dermody (MID-L-9739-14) matter, the deposition of plaintiff's prescribing physician shall go forward on February 14, 2018. The deposition shall not be adjourned without permission of the Court.

8. In the Utz (MID-L-9959-14) matter, a firm date shall be set for the deposition of plaintiff's prescribing physician based on the physician's availability. Once set, defense counsel shall advise plaintiff's counsel in writing of the date, time, and location of the deposition and the deposition shall not be adjourned without permission of the Court.

9. In the Lewy (MID-L-9910-14) matter, Defendant may move to dismiss the case with prejudice on **March 20, 2018**.

10. The next case management conference will be held on **March 14, 2018** at 10:00 a.m.

  
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HON. JAMES F. HYLAND, J.S.C.