

FILED

AUG 03 2016

**RACHELLE L. HARZ
J.S.C.**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY**

**IN RE MIRENA
LITIGATION**

**CASE NO. 297
MASTER DOCKET NO.: BER-L-4098-13**

**CIVIL ACTION
CASE MANAGEMENT ORDER # 50**

All prior orders remain in full force and effect except as modified by this Order

This Matter having been assigned to the Honorable Brian R. Martinotti, J.S.C., pursuant to the Supreme Court's Order of May 13, 2013, designating this matter for Multicounty Litigation Status ("MCL") of Mirena Litigation, (hereinafter referred to as "Mirena") and the Court having entered an Initial Case Management Order ("CMO") on May 20, 2013; having conducted a CMC; counsel appearing; for good cause shown and for the reasons set forth on the record;

IT IS on this 3rd day of August, 2016,

ORDERED,

PART I

ORDERS ENTERED SINCE LAST CASE MANAGEMENT CONFERENCE

- a. Case Management Order No. 48 (Extending the Discovery End Date to September 30, 2016).
- b. Case Management Order No. 49 (Pretrial Scheduling Order in Murphy v. Bayer, BER-L-1332-14 and Thompson v. Bayer, BER-L-429-14).

PART II
COMPLIANCE WITH PRIOR ORDERS

N/A

PART III
CASE MANAGEMENT

1. Plaintiffs' counsel may respond to Defense counsel's submission of April 1, 2016 regarding Judge Seibel's Daubert Opinion and the applicability of the New Jersey Kemp standard by September 30, 2016. Defense counsel's reply shall be submitted no later than November 1, 2016. Plaintiffs' sur-reply shall be submitted by November 22, 2016. The date for oral argument will be set at the next Case Management Conference.
2. The dates of future Case Management Conferences scheduled in Case Management Order No. 49 are hereby cancelled.
3. The pretrial deadlines under the Pretrial Scheduling Order filed February 12, 2016 remain suspended.
4. Deadlines for the Second Disposition Pool under Case Management Order No. 35 remain suspended.
5. Counsel shall meet and confer to develop a procedure addressing potential statute of limitations issues. A finalized procedure will be presented to the Court at the next Case Management Conference.

PART IV

GENERAL:

6. The next Case Management Conference is scheduled for September 29, 2016, at 11:00 am. Liaison Counsel shall report at 10:30 am. **Counsel shall submit a proposed agenda seven (7) days prior to this Case Management Conference.**
7. By consent of all parties, the Court may contact or be contacted on an *ex parte* basis regarding settlement issues only.
8. The Court may, from time to time, conduct phone conferences with defense counsel and liaison counsel.
9. Subject to agreement by and between counsel and with permission from the Court, counsel is permitted to appear telephonically; in order to have your appearance on the record, it is counsel's responsibility to e-mail liaison counsel and the court reporter at least one hour before the proceeding with your name, firm, and party representing, indicating that you intend to appear by phone; in addition you must confirm you appearance, immediately following the proceeding. Absent the above, counsel's appearance will not be noted.
10. The official record shall be the transcript provided by the court reporter retained by counsel. The reporter shall preserve all proceedings and shall email a transcript of any court proceeding to the court within 14 days of the proceeding.
11. Counsel is permitted to serve one motion with a schedule of attached cases for *pro hac* admission. However, a separate order per case/docket number and filing fees is required.

12. The Court directs all counsel to R. 1:48 and expects all counsel to abide by the parameters set forth therein.
13. All Court proceedings will start at the designated scheduled time. Counsel is expected to arrive promptly for these proceedings.
14. Counsel shall provide the Court with their preferred e-mail address by e-mailing same to Anna Celentano at Anna.Celentano@njcourts.gov and Stephanie Tanelli at Stephanie.Tanelli@njcourts.gov.
15. Counsel shall copy their co-counsel and all adversaries on all e-mails and other electronic correspondence submitted to the Court [COUNSEL IS PROHIBITED FROM FILING ANY PLEADING ELECTRONICALLY]. Any such submission received after 4:30 p.m. will be deemed received at 9:00 a.m. on the next day Court is in session. Any such submission received after 4:30 p.m. on a Friday or over a weekend, will be deemed received on 9:00 a.m. on the next day Court is in session.
16. Counsel is directed to contact The Superior Court of New Jersey, Attorneys Accounts: P.O. Box 980, Hughes Justice Complex, 25 W. Market Street, Trenton, New Jersey 08625 (609) 633-8643 to establish a collateral account for any filing fees within seven (7) days.
17. Counsel is required to check the Judiciary's Web Site dedicated to this matter for any decisions/Orders/information contained therein.

18. A copy of this Order and any subsequent Orders to the Court will be posted on the
Judiciary Web Site.



RACHELLE L. HARZ, J.S.C.