

**COUGHLIN DUFFY LLP**

Lorna A. Dotro, Esq. – ID No. 031351997

350 Mount Kemble Avenue

P.O. Box 1917

Morristown, New Jersey 07962-2075

Telephone: (973) 267-0058

Facsimile: (973) 267-6442

*Attorney for Defendant Bayer HealthCare Pharmaceuticals Inc.*

**FILED**

**JUN 24 2016**

**BRIAN R. MARTINOTTI, J.S.C.**

CANDACE GIVENS,

Plaintiff,

v.

BAYER HEALTHCARE  
PHARMACEUTICALS INC.,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
BERGEN COUNTY

DOCKET NO.: BER-L-3679-15

Civil Action

In Re: Mirena Litigation  
Case No. 297

**ORDER ON MOTION TO DISMISS FOR  
FAILURE TO SERVE COMPLAINT  
PURSUANT TO R. 1:13-7 AND FAILURE  
TO PROVIDE A PLAINTIFF FACT  
SHEET PURSUANT TO CMO NO. 3**

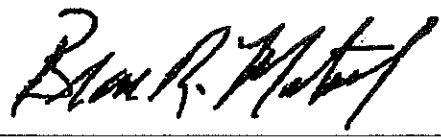
THIS MATTER having been brought before the Court by way of motion of Coughlin Duffy LLP, counsel for defendant Bayer HealthCare Pharmaceuticals Inc. (“Defendant”), for an Order dismissing Plaintiff’s Complaint for failure to serve the complaint pursuant to R.1:13-7 and failure to provide a Plaintiff Fact Sheet (“PFS”) pursuant to Case Management Order No. 3; and the Court having considered the papers submitted; and the Court having heard the arguments of counsel, if any; and for good cause shown;

IT IS ORDERED that the Complaint of Plaintiff Candace Givens is hereby dismissed without prejudice; and it is further

ORDERED that Plaintiff Candace Givens shall have 90 days from the date of this Order to serve the Complaint upon Defendant; serve a Completed Plaintiff Fact Sheet, and move before this Court for reinstatement of the Complaint and payment of the appropriate fee; and it is further

ORDERED that if Plaintiff Candace Givens fails to serve the Complaint AND provide a Completed Plaintiff Fact Sheet within 90 days from the date of this Order, Defendant may file a Motion to Dismiss this action with prejudice; and it is further

ORDERED that a signed copy of this Order be served upon all counsel within seven (7) days of the date hereof.



HONORABLE BRIAN R. MARTINOTTI, J.S.C.

Opposed

Unopposed