

FILED
MAR 28 2014
BRIAN R. MARTINOTTI
J.S.C.

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.

SARAH MARIE KELLY,

Plaintiff,

v.

BAYER CORPORATION, BAYER
HEALTHCARE LLC, BAYER
PHARMACEUTICALS CORPORATION,
BAYER HEALTHCARE
PHARMACEUTICALS INC., BERLEX
LABORATORIES INC., AND BERLEX INC.

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
BERGEN COUNTY

DOCKET NO.: BER-L-4712-13-MCL

Civil Action

In Re: Mirena Litigation
Case No. 297

**ORDER ON MOTION TO DISMISS FOR
FAILURE TO PROVIDE A PLAINTIFF
FACT SHEET**

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 provide a Plaintiff Fact Sheet 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, on this 28th day of March, 2014;

ORDERED that the Complaint of Plaintiff Sarah Marie Kelly is hereby dismissed without prejudice; and it is further

OAA
JBJ

ORDERED that Plaintiff Sarah Marie Kelly shall have 90 days from the date of this Order to serve upon Defendant 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 Sarah Marie Kelly fails to 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.

Opposed

Unopposed


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