

**COUGHLIN DUFFY LLP**

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**FILED**

**JUL 02 2014**

**BRIAN D. MARTINOTTI  
J.S.C.**

ASTIN WEBSTER and  
DONALD HURST,

Plaintiff,

v.

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

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
BERGEN COUNTY

DOCKET NO.: BER-L-4772-13

Civil Action

In Re: Mirena Litigation  
Case No. 297

**ORDER ON MOTION TO DISMISS FOR  
FAILURE TO PROVIDE A PLAINTIFF  
FACT SHEET CONTAINING ALL CORE  
CRITERIA**

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 containing all Core Criteria pursuant to Case Management Orders No. 3 and 24; 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 2 day of July, 2014;

ORDERED that the Complaint of Plaintiff Astin Webster is hereby dismissed without prejudice; and it is further

JAL  
6/24

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

ORDERED that if Plaintiff Astin Webster fails to provide a Completed Plaintiff Fact Sheet containing all Core Criteria 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.