

GREENBERG TRAUERIG, LLP

Lori G. Cohen, Esq.
Terminus 200
3333 Piedmont Road, N.E., Suite 2500
Atlanta, GA 30305
Tel. (678) 553-2100
Fax (678) 553-2212

FILED

APR 05 2018

James J. DeLuca, J.S.C.

REED SMITH LLP

Melissa A. Geist, Esq.
(NJ Attorney ID 039641998)
Princeton Forrestal Village
136 Main Street, Suite 250
Princeton, NJ 08540-7839
Tel. (609) 987-0050
Fax (609) 951-0824

Attorneys for Defendant C. R. Bard, Inc.

MARY MCGINNIS AND THOMAS WALSH
MCGINNIS,

Plaintiffs,

vs.

C. R. BARD, INC., BARD MEDICAL
DIVISION, a Division of C. R.
Bard, Inc., BARD UROLOGICAL
DIVISION, a Division of Bard
Medical Division, AND JOHN DOES
1-20,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, BERGEN COUNTY

CIVIL ACTION

DOCKET NO. BER-L-017543-14

ORDER

THIS MATTER having been opened to the Court by C. R. Bard, Inc. ("Bard") on its Motion for an Adverse Inference Instruction For Plaintiffs' Failure to Call Dr. Annamarie Connolly ("Motion") in the above-captioned matter, and having read and considered the arguments in support of the Motion and any opposition thereto, and for other good cause shown;

IT IS on 5 of April, 2018,

ORDERED that Defendant's Motion is **GRANTED**; and it is further

ORDERED that the jury shall be instructed that they are permitted to infer that Dr. Connolly's testimony at trial would have been unfavorable to Plaintiff, and it is further

ORDERED that a copy of this Order shall be served upon all counsel within three (3) days of the date of this Order.


Hon. James J. DeLuca, J.S.C.

Opposed
 Unopposed