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Ethicon, Inc. and Johnson & Johnson

FILED
AUG 28 2023
GREGG A. PADOVANO, J.S.C.

LETA FISHER,

Plaintiff,

vs.

ETHICON, INC., ETHICON WOMEN'S
HEALTH AND UROLOGY, a Division of
ETHICON, INC., GYNECARE, JOHNSON &
JOHNSON, and JOHN DOES 1-20,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – BERGEN COUNTY
DOCKET NO. BER-L-17263-14 MCL

MASTER CASE NO. BER-L-11575-14-CT

CIVIL ACTION

In Re Pelvic Mesh/Gynecare Litigation
Case No. 291 CT

**ORDER GRANTING DEFENDANTS'
RULE 4:34-1(b) MOTION FOR
SUBSTITUTION OF THE DECEASED
PLAINTIFF**

THIS MATTER having been brought before the Court by Defendants Ethicon, Inc. and Johnson & Johnson, through its counsel Riker Danzig LLP, seeking an Order to substitute a proper representative for the deceased Plaintiff; and the Court having considered the Motion, any opposition filed with respect to the Motion, and any arguments of counsel; and for good cause shown,

IT IS on this 28TH day of August, 2023,

ORDERED that Defendants' motion to order the substitution of a proper representative for the deceased Plaintiff is hereby granted; and

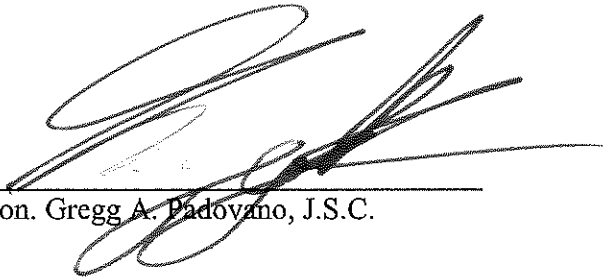
(1) A proper representative for the deceased Plaintiff pursuant to Rule 4:34-1(b) must be substituted by October 9, 2023, and

a. the substituted proper representative must reinstate the dismissed complaint and provide the updated PFS and all required information by October 29, 2023, or

IN THE ALTERNATIVE,

(2) Should no proper estate representative substituted by October 9, 2023, Defendants may submit an order to the Court under the five-day rule, on notice to counsel for plaintiff, for the dismissal without prejudice to be converted to a dismissal with prejudice.

IT IS FURTHER ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of its receipt by counsel.



Hon. Gregg A. Padovano, J.S.C.

___ Opposed

Unopposed

The Court's findings of fact and conclusions of law were placed on the record on the _____ day of _____, 2023 and were:

___ Written

___ Oral