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FILED

JUN 01 2017

Judge James F. Hyland

IN RE: PROPECIA® LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 623

CASE MANAGEMENT ORDER NO. 10

THIS MATTER having come before the court at a case management conference on May 17, 2017, concerning the status of this litigation, and for good cause having been shown;

IT IS on this 1st day of June, 2017, ORDERED as follows:

1. Attorneys Victoria Maniatis and Michael Galpern appeared on behalf of Plaintiffs, and attorneys Charles Morrow and Eileen Oakes Muskett appeared on behalf of the Merck Defendants.
2. The parties provided an update with respect to discovery in the bellwether cases and advised that the parties were working to fill the last defense pick for the bellwether pool. By May 26, 2017, the Merck defendants shall provide to counsel for plaintiffs its next selection. By June 2, 2017, counsel for plaintiffs are to advise the Merck defendants if the case will proceed or be dismissed. Once the final case is selected, the parties shall immediately advise the court.
3. Counsel for plaintiffs advised the court that recently filed motions for admission pro hac vice have been finalized and that those counsel are now in good standing.
4. Mr. Morrow advised the court of the procedure (MDL 2331 Practice and Procedure Order 16) recently adopted by Judge Cogan in MDL 2331 concerning dismissals and motions to withdraw and provided the court with a copy of the order. Mr. Morrow then requested that the

court adopt a similar procedure for this MCL proceeding. The court directed the parties to confer to submit a proposed joint order addressing Motions to Dismiss and/or Motions to withdraw as Counsel consistent with New Jersey rules.

6. In consideration of the potential for a uniform procedure to address dismissals and motions to withdraw as Counsel in New Jersey, the court agreed to the parties request to adjourn three pending motions to withdraw as counsel for two weeks. All motions to withdraw as counsel are adjourned to June 9, 2017. The parties will submit a proposed order before that date for the court's consideration, as addressed in paragraph 5.

5. The parties advised the court of the status of the plaintiff certification process and Mr. Morrow reported that its office had received 218 certifications. The court advised the parties that it had received 215 certifications.

6. The parties provided a status report for MDL 2331.

7. The court requested a status update regarding the dismissal of certain cases with prejudice and that report was provided to the court on May 17, 2017.

8. The court set the next case management conference for July 19, 2017 at 10:00 a.m.


James F. Hyland, J.S.C.

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