

FILED

OCT 31 2017

Judge James F. Hyland

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IN RE: PROPECIA® LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 623

CASE MANAGEMENT ORDER NO. 14

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

IT IS on this 31st day of October, 2017, ORDERED as follows:

1. Attorneys Victoria Maniatis and Randi Kassan appeared on behalf of Plaintiffs, and attorneys Charles Morrow and Eileen Oakes Muskett appeared on behalf of the Merck Defendants and attorney Jennifer Suh on behalf of the Bosley Medical Group.
2. The parties discussed the motions to withdraw as counsel that have been filed by plaintiffs' counsel and are pending. Plaintiffs' counsel advised that they still have approximately twenty cases for which they are awaiting either client contact and/or medical records to determine if any further motions to withdraw will be filed. All pending motions to withdraw as counsel filed by plaintiffs' counsel will be decided by the court on November 3, 2017. Moving forward, if the court grants a motion to withdraw as counsel:
 - (a) The plaintiff shall have 30 days within which to substitute new counsel or enter a *pro se* appearance.
 - (b) The case will be dismissed without prejudice if the plaintiff fails to substitute in new counsel or enter a *pro se* appearance within 30 days.

(c) If a plaintiff takes no action to reinstate his case, Merck may move pursuant to R. 4:37-2 to dismiss these cases with prejudice 60 days after the dismissal without prejudice.

3. The parties provided an update with respect to discovery in the bellwether cases and advised that the plaintiffs have dismissed two of Merck's latest bellwether selections. Merck's additional bellwether case selections will be identified following conclusion of plaintiffs' motions to withdraw as counsel. The court also acknowledged that Amended CMO 6 may need to be amended again to extend the discovery deadline once the final bellwether case selections are identified and are not dismissed by plaintiff's counsel.
4. The parties provided a status report for MDL 2331.
5. The court still requires original signatures on the certifications of ingestion and injury by plaintiffs Lefkowitz and D'Estrada. Plaintiff's counsel was required to provide an immediate update regarding the status of these certifications. If the certifications with original signatures are not provided, the cases will be dismissed by the court.
6. The court set the next case management conference for December 12, 2017 at 10:00 a.m.


James F. Hyland, J.S.C.