

# 605  
4/16

**SHELLER, P.C.**  
*A Pennsylvania Professional Corporation*  
Brian J. McCormick, Jr.  
1528 Walnut Street, Floor 3  
Philadelphia, PA 19102  
Tel. (215) 790-7300

**LEVIN, SIMES, KAISER & GORNICK LLP** *(Of Counsel)*  
Lawrence J. Gornick (CA Bar No. 136290)  
Laura Brandenburg (CA Bar No. 238642)  
44 Montgomery Street, 36<sup>th</sup> Floor  
San Francisco, CA 94104  
Tel. (415) 646-7160

**FILED**

**APR 16 2010**

JUDGE JESSICA R. MAYER

Attorneys for Plaintiff

JULIUS ABELLERA, on behalf of the ESTATE OF ISRAEL ABELLERA,  Decedent,	:	SUPERIOR COURT OF NEW JERSEY LAW DIVISION MIDDLESEX COUNTY
v.	:	
JOHNSON & JOHNSON COMPANY, et al	:	DOCKET NO. MID-L-0680-06-MT
Defendants.	:	Case Code No. 274
	:	<b>ORDER TO VACATE DISMISSAL AND AMEND COMPLAINT</b>

**THIS MATTER** having been brought before the Court by Sheller, P.C., counsel for Plaintiff Julius Abellera, on behalf of the Estate of Israel Abellera, on a Motion pursuant to R. 4:23-5 for an Order vacating a prior Order of Dismissal Without Prejudice, reinstating the action and Demand for Jury Trial; and the Court having read the moving papers ~~and the opposition, if any, thereto, and having considered the arguments of counsel;~~ and for good cause shown:

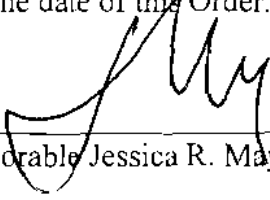
IT IS on this 16<sup>th</sup> day of April, 2010,

**ORDERED** that the Order of November 6, 2009 dismissing Plaintiffs' Complaint without

prejudice be and herchy is VACATED, and the Complaint in the above-captioned action be and hereby is reinstated: and it is further **ORDERED** that Plaintiff may file an Amended Complaint substituting JULIUS ABELLERA, on behalf of the Estate of ISRAEL ABELLERA, as Plaintiff

*within 14 days of the date of this order  
and serve*

in this action: and it is further **ORDERED** that <sup>a copy of</sup> ~~counsel for Decedent shall serve a copy of this~~  
Order <sup>be posted</sup> on counsel for defendant within 7~~10~~ days of the date of this Order.

  
\_\_\_\_\_  
Honorable Jessica R. Mayer, J.S.C.

Motion  Opposed  
 Unopposed

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to B. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."

**UNOPPOSED**