

0140

**EPSTEIN ARLEN, LLC**  
A New Jersey Limited Liability Corporation  
220 Davidson Avenue, Suite 102  
Somerset, New Jersey 08873  
Tel. (732) 828-8600

**BAILEY PERRIN BAILEY**  
440 Louisiana Street, Suite 2100  
Houston, Texas 77002  
(713) 425-7100 Telephone  
Attorneys for Plaintiff

**FILED**  
DEC 16 2011  
JUDGE JESSICA R. MAYER

SHON LAISSEN, Plaintiff,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	MIDDLESEX COUNTY
vs.	:	
	:	
JOHNSON & JOHNSON COMPANY, JANSSEN PHARMACEUTICA PRODUCTS, L.P. a/k/a JANSSEN, L.P., a/k/a JANSSEN PHARMACEUTICA, L.P., a/k/a JANSSEN PHARMACEUTICA, INC., Defendants.	:	CIVIL ACTION
	:	CASE CODE 274
	:	(Risperdal/Seroquel/Zyprexa Litigation)
	:	DOCKET NO. MID-L-6720-06(MT)
	:	
	:	<b>[REPOSED] ORDER</b>
	:	

**THIS MATTER** having been brought before the Court by Bailey Perrin Bailey and Epstein Arlen, attorneys for Plaintiff Shon Laissen; the Court having ~~heard and~~ considered the moving papers, ~~any~~ opposition papers, ~~any~~ reply papers, ~~and the arguments of counsel~~, and good cause having been shown;

IT IS on this 16<sup>th</sup> day of December, 2011,

**ORDERED** that Plaintiff's Omnibus Motion *in Limine* to Exclude Evidence at Trial, and/or for a limiting instruction, regarding Motions to exclude or *limine* is hereby granted; <sup>☒</sup>

IT IS FURTHER ORDERED that a copy of this Order shall be <sup>posted in the</sup> ~~served upon~~

~~Defendants' counsel~~ within seven (7) days of the date of this Order.

**OPPOSED**

\* The parties having consented to deposition of the motion on the papers and for the reasons set forth in the attached

  
JESSICA R. MAYER, J.S.C.

**18. Plaintiff's motion *in limine* to bar Defendants from mentioning motions to exclude or *in limine*.**

Defendants agree. Neither party shall mention motions to exclude or *in limine* motions filed in this case. Therefore, this motion is **GRANTED**.



Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

 12/16/14  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**19. Plaintiff's motion *in limine* to bar Defendants from mentioning product labeling and other evidence of drugs other than Risperdal® taken by Plaintiff.**

Plaintiff's use of other drugs, specifically other antipsychotic medications, may have contributed to the development of Plaintiff's diabetes. Plaintiff also may or may not have read product labeling regarding other drugs. Therefore, the court must await the trial testimony to determine the relevancy of such testimony by either party based upon the issue for which such testimony is presented. Therefore, this motion is **DENIED**.



whether or not such lawyers or any other lawyer referred Plaintiff's case to the undersigned counsel is hereby granted; \*

IT IS FURTHER ORDERED that a copy of this Order shall be <sup>partially</sup> ~~served~~ upon ~~Defendants' counsel~~ within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

\* the parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**20. Plaintiff's motion *in limine* to bar Defendants from any reference to how, when, or under what circumstances Plaintiff chose or employed any of his attorneys, the name of any other lawyer retained or consulted by Plaintiff, whether or not such lawyers were the original attorneys of record and whether or not such lawyers or any other lawyer referred Plaintiff's case to the undersigned counsel.**

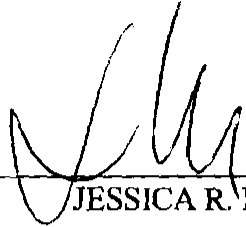
Defendants agree they will not introduce such evidence provided Plaintiff agrees not to explore the circumstances regarding Defendants' retainer of their counsel. Neither party shall make any such references at trial. Therefore, this motion is **GRANTED**.





IT IS FURTHER ORDERED that a copy of this Order shall be <sup>printed on blue</sup> ~~served upon~~ Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

 12/16/14  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**21. Plaintiff's motion *in limine* to bar Defendants from any reference suggesting or in any way reflecting the financial status or resources of Plaintiff's attorneys or their law firms, or any of those attorneys' other businesses or cases.**

Defendants agree they will not introduce such evidence provided Plaintiff agrees not to make such suggestions or references with regard to Defendants. Neither party shall make any such references at trial. Therefore, this motion is **GRANTED**.

0144

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JUDGE JESSICA R. MAYER

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440 Louisiana Street, Suite 2100  
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(713) 425-7100 Telephone  
Attorneys for Plaintiff

SHON LAISSEN, Plaintiff,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	MIDDLESEX COUNTY
vs.	:	
	:	
JOHNSON & JOHNSON COMPANY, JANSSEN PHARMACEUTICA PRODUCTS, L.P. a/k/a JANSSEN, L.P., a/k/a JANSSEN PHARMACEUTICA, L.P., a/k/a JANSSEN PHARMACEUTICA, INC., Defendants.	:	CIVIL ACTION
	:	CASE CODE 274
	:	(Risperdal/Seroquel/Zyprexa Litigation)
	:	
	:	DOCKET NO. MID-L-6720-06(MT)
	:	
	:	<del>PROPOSED</del> ORDER
	:	

**THIS MATTER** having been brought before the Court by Bailey Perrin Bailey and Epstein Arlen, attorneys for Plaintiff Shon Laissen; the Court having ~~heard and~~ considered the moving papers, ~~any~~ opposition papers, ~~any reply papers,~~ and ~~the arguments of counsel,~~ and good cause having been shown;

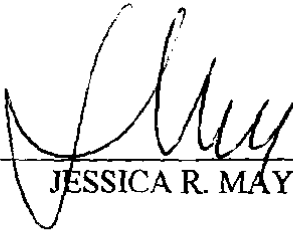
IT IS on this 16<sup>th</sup> day of December, 2011,

**ORDERED** that Plaintiff's Omnibus Motion *in Limine* to Exclude Evidence at Trial, and/or for a limiting instruction, any indication that Defendants may have to pay a judgment entered in this case, that Defendants may have limited policy limits or cash, or the effect or

results of such judgment upon Defendants' insurance rates, premiums, finances, or ability to compete in the marketplace is hereby granted; \*

IT IS FURTHER ORDERED that a copy of this Order shall be <sup>Printed on line</sup> ~~serve~~ upon Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**22. Plaintiff's motion *in limine* to bar Defendants from indicating that Defendants may have to pay a judgment in this case, that Defendants have limited policy limits or cash, or the effect or results of such judgment upon Defendants' insurance rates, premiums, or finances or the ability of Defendants to compete in the market place.**

Defendants agree not to introduce such evidence at trial unless Plaintiff "opens the door." Neither party shall argue or comment on this issue unless the court determines that the other party has "opened the door." Therefore, this motion is **GRANTED**.

0145

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**FILED**

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JUDGE JESSICA R. MAYER

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Houston, Texas 77002  
(713) 425-7100 Telephone  
Attorneys for Plaintiff

SHON LAISSEN, Plaintiff,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	MIDDLESEX COUNTY
vs.	:	
	:	
JOHNSON & JOHNSON COMPANY, JANSSEN PHARMACEUTICA PRODUCTS, L.P. a/k/a JANSSEN, L.P., a/k/a JANSSEN PHARMACEUTICA, L.P., a/k/a JANSSEN PHARMACEUTICA, INC., Defendants.	:	CIVIL ACTION
	:	CASE CODE 274
	:	(Risperdal/Seroquel/Zyprexa Litigation)
	:	DOCKET NO. MID-L-6720-06(MT)
	:	<del>PROPOSED</del> ORDER


**THIS MATTER** having been brought before the Court by Bailey Perrin Bailey and Epstein Arlen, attorneys for Plaintiff Shon Laissen; the Court having ~~heard and~~ considered the moving papers, ~~any~~ opposition papers, ~~any reply papers, and the arguments of counsel~~, and good cause having been shown;

**IT IS** on this 16<sup>th</sup> day of December, 2011,

**ORDERED** that Plaintiff's Omnibus Motion *in Limine* to Exclude Evidence at Trial, and/or for a limiting instruction, any suggestion that any recovery Plaintiff may receive in this case in the way of damages awarded by a jury verdict, be subject to prejudgment interest or judgment interest is hereby granted; \*

IT IS FURTHER ORDERED that a copy of this Order shall be <sup>posted on line</sup> ~~served upon~~ Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.




**23. Plaintiff's motion *in limine* to bar Defendants from suggesting that any recovery that Plaintiff may receive in this case in the way of damages awarded by a jury verdict would be subject to prejudgment interest or judgment interest.**

Defendants agree they will not introduce such evidence at trial unless Plaintiff "opens the door." Neither party shall argue or comment on this issue unless the court determines that the other party has "opened the door." Therefore, this motion is **GRANTED**.



Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
12/16/14  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**24. Plaintiff's motion *in limine* to bar Defendants from referring to Plaintiff's fee arrangement and who is paying expenses, or is responsible for expenses, in connection with this litigation.**


Defendants agree they will not seek to introduce such evidence at trial provided Plaintiff agrees not to make such suggestions or references with regard to Defendants. Neither party shall make any such references at trial. Therefore, this motion is **GRANTED**.



*pinked on line*

IT IS FURTHER ORDERED that a copy of this Order shall be ~~served upon~~  
Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

*\*The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.*

**25. Plaintiff's motion *in limine* to bar Defendants from suggesting that if Defendants are made to pay a judgment in this case or other Risperdal® or second generation antipsychotic product liability cases, it may negatively affect the New Jersey economy or prompt or cause layoffs.**

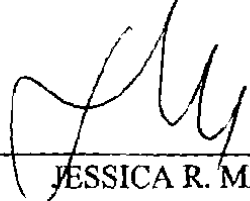
Defendants agree they will not introduce such evidence at trial unless Plaintiff "opens the door." Neither party shall argue or comment on this issue unless the court determines that the other party has "opened the door." Therefore, this motion is **GRANTED**.





IT IS FURTHER ORDERED that a copy of this Order shall be <sup>plotted online</sup> ~~served upon~~ Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\*The parties having consented to disposition of the motion on the papers and for the Reasons set forth in the attached memorandum.

**26. Plaintiff's motion *in limine* to bar Defendants from any comment or personal anecdote from any witness or lawyer for the Defendants about themselves, or family members who have used Risperdal®.**

Defendants agree not to introduce such evidence at trial unless Plaintiff "opens the door." Neither party shall argue or comment on this issue unless the court determines that the other party has "opened the door." Therefore, this motion is **GRANTED**.



Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum

**27. Plaintiff's motion *in limine* to bar Defendants from any comment or reference to "good deeds" carried out by Janssen.**

The court finds that such testimony would be presented for the purpose of demonstrating the eleemosynary aspects of Defendants' operations. The testimony is not relevant to the compensatory damages sought in this case. The testimony might be relevant to the issue of punitive damages; however, based upon the court's ruling barring Plaintiff's request for punitive damages, the court need not consider allowing such testimony. Therefore, the motion is **GRANTED**.



IT IS FURTHER ORDERED that a copy of this Order shall be <sup>printed inline</sup> ~~served upon~~  
Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

\* The parties having consented to deposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**28. Plaintiff's motion *in limine* to bar Defendants from any comment or inference that bolsters the unchallenged character (e.g., honest) or traits (e.g. generous) of Defendants' current or former employees, managers, consultants, experts, agents, or fiduciaries.**

This motion is vague and overly broad. The court must await the trial testimony to determine the relevancy of such testimony. If Plaintiff attacks the credibility or character of a defense witness, then such testimony may be permitted. Therefore, this motion is **DENIED**.



0152

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**FILED**  
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JUDGE JESSICA R. MAYED

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440 Louisiana Street, Suite 2100  
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(713) 425-7100 Telephone  
Attorneys for Plaintiff

SHON LAISSEN, Plaintiff,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	MIDDLESEX COUNTY
vs.	:	
	:	
JOHNSON & JOHNSON COMPANY, JANSSEN PHARMACEUTICA PRODUCTS, L.P. a/k/a JANSSEN, L.P., a/k/a JANSSEN PHARMACEUTICA, L.P., a/k/a JANSSEN PHARMACEUTICA, INC., Defendants.	:	CIVIL ACTION
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	:	(Risperdal/Seroquel/Zyprexa Litigation)
	:	
	:	DOCKET NO. MID-L-6720-06(MT)
	:	
	:	<b>[PROPOSED] ORDER</b>
	:	

**THIS MATTER** having been brought before the Court by Bailey Perrin Bailey and Epstein Arlen, attorneys for Plaintiff Shon Laissen; the Court having ~~heard and~~ considered the moving papers, ~~any~~ opposition papers, ~~any~~ reply papers, ~~and the arguments of counsel,~~ and good cause having been shown;

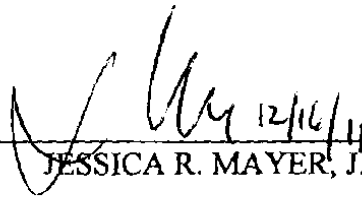
IT IS on this 16<sup>th</sup> day of December, 2011,

**ORDERED** that Plaintiff's Omnibus Motion *in Limine* to Exclude Evidence at Trial, and/or for a limiting instruction, any comment or suggestion that Defendants should not be exposed to fifty-one separate tort-law regimes is hereby granted; \*

IT IS FURTHER ORDERED that a copy of this Order shall be ~~served upon~~ <sup>posted in l.c.</sup>

Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**29. Plaintiff's motion *in limine* to bar Defendants from any comment or suggestion that Defendants should not be exposed to fifty-one separate tort-law regimes.**

Defendants agree not to introduce such evidence at trial unless Plaintiff "opens the door." Neither party shall argue or comment on this issue unless the court determines that the other party has "opened the door." Therefore, this motion is **GRANTED**.



IT IS FURTHER ORDERED that a copy of this Order shall be <sup>posted on line</sup> ~~served upon~~ Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C. 12/16/19

This motion was:

Opposed

Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum

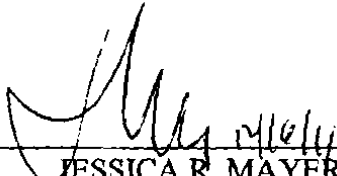
**30. Plaintiff's motion *in limine* to bar Defendants from any comment or suggestion that state law must be preempted to protect the public from recklessly warning of unsubstantiated associations between drugs and health risks.**

Defendants agree not to introduce such evidence at trial unless Plaintiff "opens the door." Neither party shall argue or comment on this issue unless the court determines that the other party has "opened the door." Therefore, this motion is **GRANTED**.



Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

\* The parties having consented to disposition of the motion of the papers and for the reasons set forth in the attached memorandum.




**31. Plaintiff's motion *in limine* to bar Defendants from any reference to personal matters related to Dr. William Wirshing.**

Plaintiff's motion is overly broad and vague. However, Defendants agree they do not intend to address any personal matters related to Dr. Wirshing unless Plaintiff "opens the door." The court will await the testimony at trial to determine if any of the personal matters related to Dr. Wirshing may affect his credibility as an expert witness. Therefore, this motion is **DENIED**.



~~Defendants' counsel~~ within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed  
 Unopposed

The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**32. Plaintiff's motion *in limine* to bar Defendants from any video or reference to any video regarding extrapyramidal symptoms and other similar side effects of antipsychotic drugs.**

Based upon the evidence presented to the court in this case, the court does not believe that Plaintiff suffers from extrapyramidal symptoms or other side effects of antipsychotic drugs other than his claim to suffer from diabetes. Therefore, any reference by Defendants to symptoms not suffered by or not claimed by Plaintiff in this case is irrelevant and the prejudice of such testimony outweighs its probative value. Therefore, this motion is **GRANTED**. However, if Plaintiff intends to introduce evidence or testimony purporting to demonstrate safer alternatives in treating mental disorders, then the court may revisit this ruling and allow Defendants to introduce evidence and testimony limited to the benefits of second generation antipsychotic medications as compared to first generation antipsychotic medications.

0156

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**FILED**  
DEC 16 2011  
JUDGE JESSICA R. MAYER

**BAILEY PERRIN BAILEY**  
440 Louisiana Street, Suite 2100  
Houston, Texas 77002  
(713) 425-7100 Telephone  
Attorneys for Plaintiff

SHON LAISSEN, Plaintiff,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	MIDDLESEX COUNTY
vs.	:	
	:	
JOHNSON & JOHNSON COMPANY, JANSSEN PHARMACEUTICA PRODUCTS, L.P. a/k/a JANSSEN, L.P., a/k/a JANSSEN PHARMACEUTICA, L.P., a/k/a JANSSEN PHARMACEUTICA, INC., Defendants.	:	CIVIL ACTION
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	:	<del>PROPOSED</del> ORDER
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**THIS MATTER** having been brought before the Court by Bailey Perrin Bailey and Epstein Arlen, attorneys for Plaintiff Shon Laissen; the Court having ~~heard and~~ considered the moving papers, ~~any~~ opposition papers, ~~any~~ reply papers, and the arguments of counsel, and good cause having been shown;

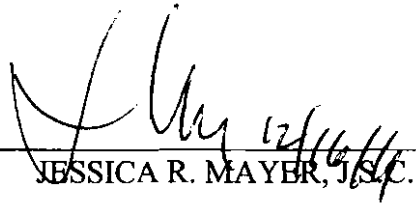
IT IS on this 16<sup>th</sup> day of December, 2011,

**ORDERED** that Plaintiff's Omnibus Motion *in Limine* to Exclude Evidence at Trial, and/or for a limiting instruction, any reference to the severity of bipolar disorder, psychosis, or schizophrenia is hereby ~~granted,~~ <sup>denied; \*</sup>

IT IS FURTHER ORDERED that a copy of this Order shall be ~~served upon~~ <sup>posted on line</sup>

Defendants' counsel within seven (7) days of the date of this Order.

**OPPOSED**

  
\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\* The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum.

**33. Plaintiff's motion *in limine* to bar Defendants from any reference to the severity of bipolar disorder, psychosis or schizophrenia.**

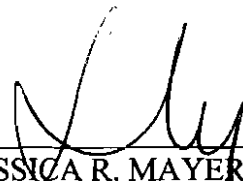
Plaintiff's motion is overly broad and vague. The court will await trial to determine whether testimony regarding the severity of Plaintiff's mental health disorder is relevant and not unduly prejudicial. Therefore, this motion is **DENIED**.





IT IS FURTHER ORDERED that a copy of this Order shall be ~~serve~~<sup>filed on</sup> upon

~~Defendants'~~ counsel within seven (7) days of the date of this Order.



\_\_\_\_\_  
JESSICA R. MAYER, J.S.C.

This motion was:

Opposed

Unopposed

\*The parties having consented to disposition of the motion on the papers and for the reasons set forth in the attached memorandum

**34. Plaintiff's motion *in limine* to bar Defendants from any references to Janssen as a "hometown company," a "neighbor," "being right here in New Brunswick," and the like, or to the fact that Plaintiff resides in a jurisdiction outside of the State of New Jersey.**

Defendants agree not to overstate their ties to New Jersey and agree not to disparage Plaintiff for filing his claim in New Jersey. However, the court finds it would be impossible and impractical to sanitize the evidence and testimony to avoid mention of Plaintiff's home state or Defendants' place of business. Therefore, the motion is **DENIED**.

The motion is **GRANTED** in so far as Defendants shall not be permitted to refer to themselves as "local" and shall not emphasize the fact that Plaintiff resides out of state.