

FILED

NOV 04 2021

RACHELLE L. HARZ

IN RE STRYKER REJUVENATE &  
ABG II MODULAR HIP  
IMPLANT LITIGATION

<sup>186</sup>  
SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY

CASE NO. 296

Master Docket No. BER-L-936-13 MCL

CIVIL ACTION

ORDER

This Document Relates to ALL ACTIONS

**ORDER DISMISSING WITHOUT PREJUDICE CERTAIN ADDITIONAL LAWSUITS  
IN WHICH THE PARTIES HAVE AGREED TO DISMISSAL WITH TOLLING**

In further management of its docket, on September 16, 2019 (“Sept. Order”), the Court entered an Order Regarding Unrevised Plaintiffs establishing certain mandatory tolling election response obligations on the part of Unrevised Plaintiffs in this Multi-county Litigation. The tolling election deadline set forth in that Order was subsequently extended. Thereafter, on January 31, 2020, the Court entered an Order dismissing without prejudice certain identified matters wherein the respective Plaintiff(s) elected to dismiss their matters and accept the tolling terms outlined in the Sept. Order (“First Dismissal Order”).

Since entry of the First Dismissal Order additional plaintiffs have provided election responses accepting the tolling terms outlined in the Sept. Order. Pursuant to the terms of the Sept. Order, the following additional lawsuits have been identified and listed in Exhibit A attached hereto, as lawsuits pending before this Court in which the identified Plaintiffs have elected to accept the tolling terms offered by HOC, as set forth in the Sept. Order, and consented to the filing of a dismissal without prejudice based upon those tolling terms.

Accordingly, **IT IS HEREBY ORDERED:**

Each of the pending lawsuits identified in Exhibit A hereto are hereby dismissed in their entirety without prejudice and without costs to any party pursuant to the tolling terms set forth in this Court's prior September 16, 2019 Order.

SO ORDERED:

A handwritten signature in black ink, appearing to read "Rachelle L. Harz". The signature is written in a cursive, flowing style with a horizontal line underneath it.

HON. RACHELLE L. HARZ, J.S.C.

Dated: November 4<sup>th</sup>, 2021

**ABGII/Rejuvenate NJ MCL**

**Exhibit A: Cases to be Dismissed without Prejudice Pursuant to Tolling Terms**

|     | <b>Case No.</b> | <b>Plaintiff Last Name</b> | <b>Plaintiff First Name</b> | <b>Counsel</b>  |
|-----|-----------------|----------------------------|-----------------------------|---|
| 1.  | BER-L-007698-19 | Burns                      | Billie and Robert           | Weitz & Luxenberg<br>Hollis, Wright & Couch, P.C        |
| 2.  | BER-L-004130-20 | Burns                      | Wilma                       | Aylstock Witkin Kreis & Overholtz                       |
| 3.  | BER-L-004131-20 | Collins                    | Joanne M.                   | Aylstock Witkin Kreis & Overholtz                       |
| 4.  | BER-L-004132-20 | Craven                     | Robert Thomas               | Aylstock Witkin Kreis & Overholtz                       |
| 5.  | BER-L-003825-14 | Ford                       | Audra and Hunter            | Searcy Denney Scarola Barnhart & Shipley                |
| 6.  | BER-L-020499-14 | Friedman                   | Selma                       | Blume, Goldfaden, Berkowitz,<br>Donnelly, Fried & Forte |
| 7.  | BER-L-004008-14 | Garber                     | Elaine and Melvin           | Searcy Denney Scarola Barnhart & Shipley                |
| 8.  | BER-L-003585-14 | Garofolo                   | Toby                        | Weitz & Luxenberg                                       |
| 9.  | BER-L-005749-13 | Gunmitz                    | Hyman                       | Blume, Goldfaden, Berkowitz,<br>Donnelly, Fried & Forte |
| 10. | BER-L-003480-15 | Headlee                    | Norma                       | Aylstock Witkin Kreis & Overholtz                       |
| 11. | BER-L-003870-14 | Hermanni                   | Kurt and Lita               | Searcy Denney Scarola Barnhart & Shipley                |
| 12. | BER-L-004756-15 | House                      | Debra                       | Weitz & Luxenberg                                       |
| 13. | BER-L-006210-15 | Huber                      | Frances                     | Aylstock Witkin Kreis & Overholtz                       |
| 14. | BER-L-004114-20 | Huff Tuckness              | Barbara and George          | Aylstock Witkin Kreis & Overholtz                       |
| 15. | BER-L-005277-16 | King                       | Emelie                      | Weitz & Luxenberg                                       |
| 16. | BER-L-004134-20 | Larkin                     | Harry                       | Aylstock Witkin Kreis & Overholtz                       |
| 17. | BER-L-004135-20 | Lovero, Sr.                | Frank                       | Aylstock Witkin Kreis & Overholtz                       |
| 18. | BER-L-003898-14 | Mario                      | Barbara                     | Searcy Denney Scarola Barnhart & Shipley                |
| 19. | BER-L-004136-20 | Mayo                       | James E.                    | Aylstock Witkin Kreis & Overholtz                       |
| 20. | BER-L-010024-14 | Moossun                    | Dorothy                     | Weitz & Luxenberg                                       |
| 21. | BER-L-001327-16 | Moson                      | Madlen and John             | Searcy Denney Scarola Barnhart & Shipley                |
| 22. | BER-L-005623-14 | Owen                       | Karen                       | Weitz & Luxenberg                                       |
| 23. | BER-L-006271-14 | Pack                       | Donald D. and Janet M.      | Parker Waichman LLP<br>Neblett Beard and Arsenault      |
| 24. | BER-L-004137-20 | Paulson                    | Harold Albert               | Aylstock Witkin Kreis & Overholtz                       |
| 25. | BER-L-05273-16  | Phillips                   | Charlie                     | Weitz & Luxenberg                                       |
| 26. | BER-L-004138-20 | Puls                       | Pamela A.                   | Aylstock Witkin Kreis & Overholtz                       |
| 27. | BER-L-05275-16  | Ray                        | Brenda                      | Weitz & Luxenberg                                       |
| 28. | BER-L-004112-20 | Roberts                    | Shirley H. and Richard M.   | Aylstock Witkin Kreis & Overholtz                       |
| 29. | BER-L-003856-14 | Salvatore                  | Rocco                       | Searcy Denney Scarola Barnhart & Shipley                |

|     | <b>Case No.</b> | <b>Plaintiff Last Name</b> | <b>Plaintiff First Name</b> | <b>Counsel</b>                           |
|-----|-----------------|----------------------------|-----------------------------|--|
| 30. | BER-L-004047-14 | Sanford                    | Gary                        | The Miller Firm, LLC                     |
| 31. | BER-L-006231-15 | Schimantowski              | Janelle F                   | Aylstock Witkin Kreis & Overholtz        |
| 32. | BER-L-005292-14 | Smith                      | Joyce and James             | Searcy Denney Scarola Barnhart & Shipley |
| 33. | BER-L-005981-14 | Targac                     | Frank and Mildred           | Weitz & Luxenberg                        |
| 34. | BER-L-004139-20 | Tecchio                    | Sheila                      | Aylstock Witkin Kreis & Overholtz        |
| 35. | BER-L-003848-14 | Thornbery                  | Matthew and Lisa            | Searcy Denney Scarola Barnhart & Shipley |
| 36. | BER-L-005931-15 | Tyler                      | Ellen and Orla<br>Brammeier | Searcy Denney Scarola Barnhart & Shipley |
| 37. | BER-L-004848-15 | Young                      | Marilyn                     | Aylstock Witkin Kreis & Overholtz        |