## DRINKER BIDDLE & REATH LLP

A Delaware Limited Liability Partnership 500 Campus Drive Florham Park, New Jersey 07932-1047 (973) 549-7000 Attorneys for Defendants Bayer Corporation Bayer HealthCare LLC Bayer HealthCare Pharmaceuticals Inc. Bayer Schering Pharma AG FILED

OCT 1 1 2013

BRIAN R. MARTINOTTI
J.S.C.

Bayer AG

Plaintiff,

v.

BAYER CORP., ET AL.,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO. BER-L-007042-11

IN RE YAZ®, YASMIN®, OCELLA®
LITIGATION
CASE CODE 287

ORDER DISMISSING PLAINTIFF'S COMPLAINT WITH PREJUDICE PURSUANT TO CMO NO. 39

THIS MATTER having been opened to the Court by Drinker Biddle & Reath LLP, attorneys for Defendants, on motion for entry of an Order pursuant to Case Management Order No. 39, dismissing Plaintiff's Complaint with prejudice for failure to provide discovery, and the Court having considered the submissions of the parties, and for good cause having been shown:

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_\_, 2013,

## **ORDERED** as follows:

- 1. Defendants Motion to Dismiss Plaintiff's Complaint With Prejudice pursuant to Case Management Order No. 39, be and hereby is granted; and
- A true copy of this Order shall be served upon all counsel of record within seven
   (7) days of its entry hereof.

BRIAN R. MARTINOTTI, J.S.C.

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This motion was:

Opposed

FP01/7057946.1