

Susan M. Sharko (State Bar ID 00997-1979)
Jessica L. Brennan (State Bar ID 02423-2007)
FAEGRE DRINKER BIDDLE & REATH LLP
A Delaware Limited Liability Partnership
600 Campus Drive
Florham Park, New Jersey 07932-1047
(973) 549-7000
susan.sharko@faegredrinker.com
jessica.brennan@faegredrinker.com
*Attorneys for Defendants DePuy Orthopedics, Inc., Johnson & Johnson,
Johnson & Johnson Services, Inc., and Johnson & Johnson International*

FILED

APR 25 2022

**RACHELLE L. HARZ
J.S.C.**

SANG HO JEONG, JONG HYEOK LEE,
AND HAKSU KIM,

Plaintiffs,

v.

DePUY ORTHOPAEDICS, INC., et al.,
Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: BERGEN COUNTY
: DOCKET NUMBER: BER-L- 1176-22
: MASTER DOCKET NO.: BER-L-3971-11
: CASE NO. 293

CIVIL ACTION

IN RE: DePuy ORTHOPAEDICS, INC.
ASR™ HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

**ORDER GRANTING
DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' FIRST AMENDED
COMPLAINT ON LACK OF PERSONAL
JURISDICTION AND FORUM NON
CONVENIENS GROUNDS**

THIS MATTER having been brought before the Court by Faegre Drinker Biddle & Reath LLP, attorneys for Defendants DePuy Orthopaedics, Inc., Johnson & Johnson, Johnson & Johnson Services, Inc. and Johnson & Johnson International; the Court having heard and considered the moving papers, any opposition papers, any reply papers, the arguments of counsel, and good cause having been shown;

IT IS on this 25th day of April, 2022,

ORDERED that Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint on Lack of Personal Jurisdiction and *Forum Non Conveniens* Grounds is hereby **GRANTED**;

IT IS FURTHER ORDERED that Plaintiffs' First Amended Complaint is hereby dismissed without prejudice for 30 days to allow Plaintiffs to re-file their cases in the appropriate venue in their home jurisdiction of South Korea; thereafter the First Amended Complaint is dismissed with prejudice as to all Defendants;

IT IS FURTHER ORDERED that if Plaintiffs' cases are re-filed in the appropriate venue in their home jurisdiction of South Korea within 30 days of entry of this Order, DePuy International Limited and Johnson & Johnson Medical Limited Korea shall: (1) agree to accept service of process in South Korea; (2) waive any applicable statutes of limitations and repose defenses that may be available under South Korean law; and (3) agree to satisfy any final, post-appeal judgment awarded to Plaintiffs.

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



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

This motion was:

Opposed

Unopposed

oral argument
reasons set forth on the record