

FILED

AUG 17 2018

RACHELLE L. HARZ
J.S.C.

<p>JUDY BOWERS, Plaintiff, v. DePUY ORTHOPAEDICS, INC., et al. Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L- 6834-12 CIVIL ACTION</p>
<p>RICKY CALLAHAN, Plaintiff, v. DePUY ORTHOPAEDICS, INC., et al. Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-6837-12 CIVIL ACTION</p>
<p>TONY DAVIS, Plaintiff, v. DePUY ORTHOPAEDICS, INC., et al. Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-6839-12 CIVIL ACTION</p>
<p>RONALD A. ELLIS, Plaintiff, v. DePUY ORTHOPAEDICS, INC., et al. Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-6840-12 CIVIL ACTION</p>

<p>JERRY STEPHENS, Plaintiff,</p> <p>v.</p> <p>DePUY ORTHOPAEDICS, INC., et al.</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-6851-12</p> <p>CIVIL ACTION</p>
<p>DANIEL STITT, Plaintiff,</p> <p>v.</p> <p>DePUY ORTHOPAEDICS, INC., et al.</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-6852-12</p> <p>CIVIL ACTION</p>
<p>STEVEN W. VANCLEAVE, Plaintiff,</p> <p>v.</p> <p>DePUY ORTHOPAEDICS, INC., et al.</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-7304-12</p> <p>CIVIL ACTION</p>

[PROPOSED] ORDER

THIS MATTER, having been opened to the Court upon the application of counsel for Plaintiffs, and the Court having considered the submissions of the parties ~~and having heard oral argument~~, and for good cause shown,

IT IS on this 17th day of August, 2018

HEREBY ORDERED that:

1. Plaintiffs' Motion for Clarification of Record is denied. *in part.*
2. The claims of Plaintiffs in the above-captioned cases were dismissed administratively without prejudice on March 9, 2017, each party to bear its own fees and costs.
3. Within 90 days of entry of this Order, Plaintiffs may re-file their cases in In Re: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation (3:11-md-02244) Multi-District Litigation pending in the Northern District of Texas, or in Indiana Superior Court, Marion County. If a Plaintiff re-files the Complaint within the 90-day period, the filing date shall relate back to the date that the original Complaint was filed in this Court.
4. Alternatively, within one (1) year of entry of this Order, Plaintiffs may move to re-open in this Court. If a Plaintiff moves to re-open the Complaint within the 1-year period, the filing date shall relate back to the date that the original Complaint was filed in this Court.
5. Plaintiffs will not file a separate lawsuit in any other court alleging claims for the same PINNACLE® product(s) at issue in the case that was dismissed without prejudice, including but not limited to any claims against Defendants or any other person or entity.
6. Entry of this Order shall not for any purpose be deemed to limit or adversely affect any defense that Defendants have, may have, or would have had in the absence of this Order.
7. A copy of this Order shall be served upon all counsel within 7 days of the date hereof.



RACHELLE LEA HARZ, J.S.C.

opposed