

**FILED**

**NOV 18 2021**

**JOHN C. PORTO, J.S.C.**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ATLANTIC COUNTY  
MASTER CASE NO. ATL-L-2122-18

CASE NO. 627

Civil Action

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IN RE PHYSIOMESH LITIGATION  
(Flexible Composite Mesh)

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**CASE MANAGEMENT ORDER NO. 22**  
**[ORDER WITH RESPECT TO PLAINTIFFS**  
**FAILURES TO COMPLY WITH RULES**  
**GOVERNING SERVICE OF PROCESS AND**  
**SUFFICIENCY OF SERVICE OF PROCESS]**

This matter having been opened to The Court by Defendants; and good cause appearing;

**IT IS** on this 18th day of November 2021,

**ORDERED** as follows:

1. As to any action in this Multi-County Litigation (“MCL”) where the Plaintiff(s) does not fully comply with the New Jersey Court Rules governing service of process (including, but not limited to, R. 4:4-1, et seq.), the Defendant(s) may notify Plaintiffs’ counsel by the email address (or addresses) associated with the eCourts filing of the Complaint that process is deficient, identifying the deficiencies. No answer or responsive pleading to that Complaint need be filed by the Defendant(s) until 35 days after all deficiencies are cured.

2. The case shall be deemed not properly served and the Defendant(s) shall have no further obligations in connection with the case until process deficiencies are cured. No steps towards default proceedings may be undertaken by Plaintiff(s). Any other deadlines under prior Case Management Orders that run from the date of filing of the Complaint or service of the Complaint shall be held in abeyance until service deficiencies are cured.

3. Should the Plaintiff(s) fail to cure the deficiencies within 30 days of the date of the emailed notice, the Defendant(s) shall be permitted to file a motion to dismiss Plaintiff(s)' Complaint without prejudice without further leave of Court.

4. Should the Complaint be dismissed without prejudice and the deficiencies not cured within 60 days of the entry of an Order dismissing the case without prejudice, the Defendant(s) shall be permitted to file a motion to dismiss with prejudice.



HONORABLE JOHN C. PORTO, J.S.C.