

FILED

November 6, 2022

HON. BRUCE J. KAPLAN, J.S.C.

<p>KATHLEEN WARD,</p>	<p>Plaintiff,</p>
<p>vs.</p>	
<p>SANOFI U.S. SERVICES, INC. et al.,</p>	<p>Defendants.</p>

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX COUNTY

DOCKET NO. MID-L-7768-18

MASTER DOCKET NO. MID-L-4998-18 CM

CIVIL ACTION  
In Re Taxotere Litigation

**CONSENT ORDER OF DISMISSAL  
WITHOUT PREJUDICE AS TO  
DEFENDANT SANDOZ INC. AND HOSPIRA  
WORLDWIDE, LLC ONLY**

**THIS MATTER**, having been brought before the Court by the parties who have appeared in this action pursuant to Rule 4:37-1(a), Plaintiff Kathleen Ward and all named Defendants Sanofi U.S. Services, Inc. and sanofi-aventis U.S. LLC (“Sanofi”), Hospira Inc. and Hospira Worldwide, LLC (“Hospira”) and Sandoz Inc. (“Sandoz”), and for good cause shown;

**IT IS** on this 16th day of November, 2022;

**ORDERED**, that this matter is hereby:

1. Dismissed without prejudice in its entirety as to defendants Sandoz and Hospira for lack of product identification information compliant with Product Identification Order No. 3 and New Jersey law.
2. This action will remain pending as to Sanofi.
3. Leave to reinstate a claim against Sandoz and Hospira may be sought from the Court if Plaintiff subsequently obtains product identification information as to Sandoz or Hospira.

4. In the event Plaintiff is unable to obtain product identification as to any infusion pursuant to Product Identification Order No. 3 and New Jersey law, Sanofi reserves the right to, and hereby provides notice that, they may seek summary judgment as to any such infusion, and/or present evidence to the trier of fact regarding fault for any such infusion, and/or seek apportionment of liability on the verdict sheet as to fault for any such infusion.
5. Consistent with New Jersey law, nothing in this Order shall preclude Sandoz or Hospira from disputing the sufficiency of product identification information later produced by Plaintiff, if any, or from later seeking dismissal with prejudice.
6. The parties shall bear their own fees and costs.

*/s/ Bruce J. Kaplan*

Hon. Bruce J. Kaplan, J.S.C.

The posting of this Order on eCourts shall constitute service upon all counsel of record. If applicable, pursuant to Rule 1:5-1(a), the movant shall serve a copy of this Order upon all parties not served electronically within seven (7) days of receipt of this Order.

**THE UNDERSIGNED CONSENT TO THE FORM AND ENTRY OF THIS ORDER:**

Dismissal Without Prejudice

Kathleen Ward v. Sanofi U.S. Services, Inc. et al., Docket No. MID-L-7768-18

/s/ Christopher LoPalo

Christopher LoPalo, Esq.  
NAPOLI SHKOLNIK PLLC

400 Broadhollow Rd.

Suite 305

Melville, NY 11747

(212) 397-1000

[Clopalo@napolilaw.com](mailto:Clopalo@napolilaw.com)

*Attorneys for Plaintiff Kathleen Ward*

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/s/ Stephen C. Matthews

Stephen C. Matthews, Esq.

NJ Attorney ID #055801994

DLA PIPER LLP (US)

51 John F. Kennedy Parkway, Suite 120

Short Hills, NJ 07078-2704

(973) 520-2541

[stephen.matthews@dlapiper.com](mailto:stephen.matthews@dlapiper.com)

*Attorneys for Defendants Sanofi U.S. Services,  
Inc. and sanofi-aventis U.S. LLC*

/s/ Francis X. Manning

Francis X. Manning, Esq.

NJ Attorney ID #008431991

STRADLEY RONON STEVENS

& YOUNG, LLP

457 Haddonfield Road, Suite 100

Cherry Hill, NJ 08002

(856) 321-2403

[fmanning@stradley.com](mailto:fmanning@stradley.com)

*Attorneys for Defendants Hospira Worldwide,  
LLC and Hospira, Inc.*

/s/ Aaron Van Nostrand

Aaron Van Nostrand (N.J. I.D. No.  
027472002)

500 Campus Drive, Suite 400

Florham Park, NJ 07932

(973) 443-3557

[vannostranda@gtlaw.com](mailto:vannostranda@gtlaw.com)

Lori G. Cohen, Esq.

*Admitted Pro Hac Vice*

R. Clifton Merrell, Esq.

*Admitted Pro Hac Vice*

Evan C. Holden, Esq.

*Admitted Pro Hac Vice*

GREENBERG TRAUIG LLP

Terminus 200

3333 Piedmont Rd., NE

Suite 2500

Atlanta, GA 30305

(678) 553-2100

[cohenl@gtlaw.com](mailto:cohenl@gtlaw.com)

[merrellc@gtlaw.com](mailto:merrellc@gtlaw.com)

[holdene@gtlaw.com](mailto:holdene@gtlaw.com)

*Attorneys for Defendant Sandoz, Inc.*

