

FILED

MAY 26 2023

RACHELLE L. HARZ  
J.S.C.

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NAGEL RICE, LLP  
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Roseland, New Jersey 07068  
(973) 618-0400  
Attorneys for Plaintiffs

MAUREEN POWER and JOHN M. POWER,

Plaintiffs,

vs.

HOWMEDICA OSTEONICS  
CORPORATION, a New Jersey Corporation,  
d/b/a STRYKER ORTHOPAEDICS,

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION- BERGEN COUNTY  
DOCKET NO.: BER-L-10192-14

Civil Action

**ORDER TO BE RELIEVED AS  
COUNSEL**

**THIS MATTER**, having been opened to the Court upon application of Nagel Rice, LLP, attorneys for Plaintiffs, the Court having considered the moving papers, any opposition papers, any arguments of counsel, and for good cause shown,

**IT IS** on this 26<sup>th</sup> day of May, 2023;

**ORDERED** as follows:

1. ORDERED that Nagel Rice, LLP and its attorneys be and hereby are relieved as counsel for Plaintiffs in this matter; and it is further
2. ORDERED that Plaintiffs ~~shall have 45 days from the date of this Order to obtain new counsel, or they will be proceed pro se;~~ and it is further *reattached rider*
3. ORDERED that a copy of this Order be served upon all parties within 7 <sup>two</sup> days of receipt by Plaintiff's attorneys.

*Rachelle L Harz*  
\_\_\_\_\_  
J.S.C.

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

Opposed  
 Unopposed

**Maureen Power and John M. Power v. Howmedica Osteonics Corp. [BER-L-10192-14]**

**Response must be completed and returned to the Court by June 26, 2023 and addressed as follows:**

Bergen County Courthouse  
Attn: Jamie Colaneri  
MCL Team Leader, Civil Division  
10 Main Street  
Hackensack, NJ 07601

**Note:** In the event that this Court does not receive completed form by June 26, 2023, this case will be dismissed.

**Indicate Plaintiffs intention by checking one of the boxes below:**

- Plaintiffs Maureen Power and John Power elect to voluntarily dismiss this case
  
- Plaintiffs Maureen Power and John Power intend to proceed as self-represented (pro se). We hereby affirm our understanding that we are required to fulfill all discovery obligations and comply with all New Jersey Court Rules, including the discovery obligations set forth in the Court's May 26, 2023 Order. Specifically, we agree that all liability expert reports on our behalf, including but not limited to orthopedic, pathology, radiology, toxicology, will be served on defense counsel by August 28, 2023. The address for service of the reports is as follows:

Gibbons P.C.  
One Gateway Center  
Newark, New Jersey 07102-5310  
Attn: Stryker Team

\_\_\_\_\_  
Maureen Power

\_\_\_\_\_  
John Power

**Rider**

**Power v Howmedica BER-L-10192-14**

Within 30 days, plaintiffs must obtain new counsel, or enter an appearance that they intend to proceed as self- represented (pro se) or elect to voluntarily dismiss this case. If proceeding pro se, plaintiffs must understand that they are required to fulfill all discovery obligations and comply with all New Jersey Court Rules. In the event that this court does not receive by June 26, 2023, an appearance by new counsel or indication by plaintiffs that they are going to be proceeding pro se, or a voluntary dismissal, this case will be dismissed. This court has provided a form (attached to this Order and Rider) for the plaintiffs to utilize to respond for the June 26, 2023 deadline. The completed form must be mailed to Bergen County Courthouse. Att: Jamie Colaneri, MCL team leader, Civil Division, 10 Main Street, Hackensack, NJ 07601.

If either new counsel enters an appearance or plaintiffs decide to proceed pro se, it is the ORDER of this court that all liability expert reports, on behalf of plaintiffs including but not limited to orthopedic, pathology, radiology, toxicology or any other reports plaintiffs wish to serve, must be served by August 28th 2023. In the event said liability expert reports are not served by August 28th 2023, defense counsel may move to dismiss this case with prejudice *ex parte*.

Nagel Rice LLP Must serve a copy of this Order on plaintiffs within 2 days.