

NOTICE TO THE BAR

Mass Tort Designation - Risperdal/Seroquel and Zyprexa

A previous notice advised of the application made to the Supreme Court for designation of all Risperdal, Seroquel, and Zyprexa state court litigation in New Jersey as a mass tort and assignment of that litigation for coordinated and centralized management purposes to the Middlesex Vicinage. That application was submitted pursuant to Rule 4:38A and the Mass Tort Guidelines as promulgated by Directive #11-03. The Court received no comments regarding the application. This notice is to advise that the Supreme Court, after considering the application, has designated the Risperdal, Seroquel, and Zyprexa state court litigation as a mass tort and assigned it to Judge Bryan Garruto in the Middlesex Vicinage for centralized management purposes. Published with this notice is the Supreme Court's September 11 order. That order, along with Judge Garruto's September 28 case management order, also is posted in the Mass Tort Information Center on the Judiciary's internet web site (www.njcourtsonline.com).

Questions concerning this matter may be directed to Michelle V. Perone, Esq.; Chief, Civil Court Programs; Administrative Office of the Courts, Hughes Justice Complex, P.O. Box 981, Trenton, New Jersey 08625-0981; telephone (609) 984-5431; e-mail address michelle.perone@njcourts.gov.

Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts
Dated: October 3, 2006

SUPREME COURT ORDER

On application made pursuant to Rule 4:38A and the Mass Tort Guidelines promulgated by Directive #11-03 in accordance with that Rule, it is hereby ORDERED that all pending and future actions seeking damages or other relief arising out of alleged injuries from the use of the drug Risperdal, the drug Seroquel, or the drug Zyprexa are designated as a consolidated mass tort for centralized case management purposes; and

It is FURTHER ORDERED that any and all such complaints that have been filed in the various counties and that are under or are awaiting case management and/or discovery shall be transferred from the county of venue to Superior Court, Law Division, Middlesex County (Vicinage No. 8), and assigned for management purposes to the Honorable Bryan D. Garruto; and

It is FURTHER ORDERED that venue in all existing Risperdal cases, all existing Seroquel cases, and all existing Zyprexa cases is transferred to Middlesex County; and that, pursuant to N.J.Const. (1947), Art. VI, sec. 2, par. 3, the provisions of Rule 4:3-2 governing venue in the Superior Court are supplemented and relaxed so that all future such complaints, no matter where they might be venued, shall be filed in Middlesex County and assigned to Judge Garruto for management; and

It is FURTHER ORDERED that Judge Garruto shall oversee all management and trial issues for such cases and may, in his discretion, return such cases to the original county of venue for disposition; and

It is FURTHER ORDERED that no Special Master may be appointed in this litigation without the express approval of the Chief Justice.

For the Court
Deborah T. Poritz
Dated: September 11, 2006