

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**IN RE: HUMAN TISSUE PRODUCTS
LIABILITY LITIGATION**

This Document Relates to:

*Kennedy-McInnis, et al. v. Biomedical Tissue
Services, Ltd., et al.*, Civil Action No. 06-5140

Docket No. 06-cv-135 (WJM)

MDL No. 1763

ORDER

HON. WILLIAM J. MARTINI

This motion comes before the Court on the motion to lift the stay filed by Plaintiffs in the *Kennedy-McInnis* action (06-cv-5140, Docket No. 34); and the Stay Order, entered on January 31, 2007, stating that “no new motions shall be filed (in either the donor or the recipient cases) pending leave of the Court” (06-cv-135, Docket No. 225); and the Court noting that the Plaintiffs have sought leave to file certain motions, including the instant Plaintiffs’ motion for class certification (06-cv-135, Docket No. 831), and the Court has granted this leave; and the Court further observing that the parties agreed to stay discovery in the “family cases” pending resolution of certain privilege issues before the Third Circuit Court of Appeals and the New York Court of Appeals, *see* Decl. of Denise Brinker Bense, Exs. 1, 2; and decisions from the appellate courts not having been rendered at this time; and for good cause appearing,

IT IS on this 2nd day of March 2010, hereby

ORDERED that Plaintiffs’ motion to lift the stay is **DENIED**.

/s/ William J. Martini
WILLIAM J. MARTINI, U.S.D.J.