

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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STACY SHERFEY, as an administrator	:	:
of the estate of Tracen Sherfey, a minor,	:	:
deceased,	:	:
STACY SHERFEY, and	:	CIVIL ACTION
NEIL SHERFEY,	:	:
	:	:
	Plaintiffs,	:
	:	:
v.	:	No. 12-4162
	:	:
JOHNSON & JOHNSON, et al.,	:	:
	:	:
	Defendants.	:
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**ORDER**

**AND NOW**, this 10th day of June, 2014, upon consideration of Defendants, Johnson & Johnson, McNeil-PPC, Inc., Johnson & Johnson Sales & Logistics Company, LLC, and Wal-Mart Stores, Inc.’s (collectively, “Defendants”), Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), Plaintiffs, Stacy Sherfey, as the administrator of the Estate of Tracen Sherfey, a minor, deceased, Stacy Sherfey, and Neil Sherfey’s, Response, and Defendants’ Reply thereto, it is hereby **ORDERED** that the Motion is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE