

## NOTICE TO THE BAR

### RE: APPLICATION TO DESIGNATE CIVIL LITIGATION INVOLVING THE ALLEGED ACTIONS OF FORMER NURSE CHARLES CULLEN AS A MASS TORT

The Supreme Court has considered the application, made pursuant to Rule 4:38A and the Mass Tort Guidelines, to designate all pending and future civil litigation statewide involving the alleged actions of former nurse Charles Cullen as a mass tort, as well as all comments received in response to the application, and has determined not to designate the litigation as a mass tort at this time. Pursuant to the attached Order, however, the Court has transferred all pending and future civil litigation involving the alleged actions of Charles Cullen to the Middlesex Vicinage for centralized management. Also accompanying this Notice is a [copy of Judge Bryan Garruto's Case Management Order](#) setting forth the details of the transfer.

Any questions relating to this matter should be directed to the following:

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Philip S. Carchman, J.A.D.  
Acting Administrative Director of the Courts  
Dated: October 6, 2004

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### Supreme Court Order

On application made consistent with the provisions of Directive #11-03, it is hereby ORDERED that all pending civil actions seeking damages or other relief arising out of the alleged actions of former nurse Charles Cullen shall be transferred from the county of venue to Superior Court, Law Division, Middlesex County (Vicinage No. 8) and assigned for case management purposes to the Civil Presiding Judge of the Middlesex Vicinage or a judge designated by the Civil Presiding Judge; and

It is FURTHER ORDERED that venue in all such 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 complaints seeking damages or other relief arising out of the alleged actions of former nurse Charles Cullen, no matter where they might be venued, shall be filed in Middlesex County and assigned to the Civil Presiding Judge or a judge designated by the Civil Presiding Judge for management; and

It is FURTHER ORDERED that the judge to which these matters are assigned in the Middlesex Vicinage shall oversee all management and trial issues for such cases and may, in his or her 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  
Chief Justice  
Dated: September 14, 2004