

RICHARD AND JENNIFER MURPHY,

Plaintiffs

vs.

C. R. BARD, INC., et al.

Defendants

: PHILADELPHIA COUNTY  
: COURT OF COMMON PLEAS

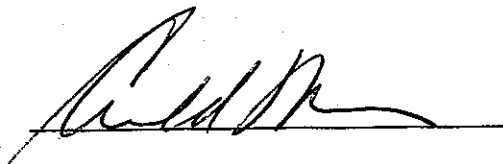
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: JANUARY TERM, 2008  
: NO. 00766

:  
: 041696  
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**ORDER**

AND NOW, this 22<sup>nd</sup> day of July, 2008, upon consideration of the Motion of Defendants C.R. Bard, Inc. and Davol Inc. to Dismiss Pursuant to *Forum Non Conveniens* and 42 Pa. C.S.A. § 5322(e), and any response thereto, it is hereby ORDERED AND DECREED that the Motion is GRANTED, and Plaintiffs' Amended Complaint is dismissed, with prejudice.

BY THE COURT:



, J.

COPIES SENT  
PURSUANT TO Pa.R.C.P. 236(b)

JUL 22 2008

FIRST JUDICIAL DISTRICT OF PA  
USER I.D.:

1 RAY  
1 ARS

NEW

041357

RICHARD AND JENNIFER MURPHY,  
 Plaintiffs  
 vs.  
 C. R. BARD, INC., et al.  
 Defendants

: PHILADELPHIA COUNTY  
 : COURT OF COMMON PLEAS  
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 : JANUARY TERM, 2008  
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**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2008, upon

Defendants Davol Inc. and C.R. Bard, Inc.'s Preliminary Objections to Plaintiffs' Amended Complaint, and any response thereto, it is hereby ORDERED AND DECREED that the Preliminary Objections are SUSTAINED, and it is

FURTHER ORDERED that:

Plaintiffs' claims for Strict Liability under the Restatement (Second) of Torts § 402A (Count I); Strict Liability under the Restatement (Second) of Torts § 402B (Count II); Breach of Implied Warranties (Count III) and Fraud, Deceit and Fraudulent Misrepresentation (Count VI) are DISMISSED WITH PREJUDICE pursuant to the holding of *Hahn v. Richter*, 543 Pa. 558,

673 A.2d 888, 890-91 (1996) and subsequent cases applying *Hahn*.

COPIES SENT  
PURSUANT TO Pa.R.C.P. 236(b)

JUL 23 2008

BY THE COURT:

FIRST JUDICIAL DISTRICT OF PA  
USER I.D.: \_\_\_\_\_

FILED  
 PRO PROTHY  
 APR 25 2008  
 E. HUSTON

, J.

7/23/08

*Defendants Preliminary  
 Objections are dismissed as  
 moot  
 By the Court  
 [Signature]*

Murphy Etal Vs Davol Inc Etal-PROBJ

