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Attorney for Defendant Merck Sharp & Dohme Corp.

#0335  
10-28-16

**FILED**

**OCT 28 2016**

JUDGE JESSICA R. MAYER

Duane King, Individually, and as Proposed  
Administrator of The Estate of Ruby King,  
Deceased

Plaintiff

vs.

Merck Sharp & Dohme Corp.

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

FOSAMAX LITIGATION

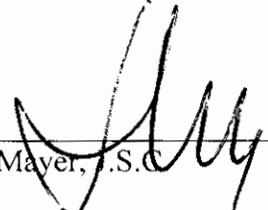
DOCKET NO. MID-L-9377-14

CIVIL ACTION CASE NO. 282

**ORDER**

**WHEREAS**, Defendant Merck Sharp & Dohme Corp., by and through its attorneys Fox Rothschild LLP, upon notice to all interested parties, has moved before this Court for the dismissal of this matter against Defendant in this matter; and the Court having considered the papers submitted in support thereof; and for other good cause, **IT IS** on this 28th day of October, 2016, hereby **ORDERED** that the motion is granted, and all claims of Plaintiff in this case are hereby dismissed without prejudice.

Hon. Jessica R. Mayer, J.S.C.



A COPY OF THIS ORDER SHALL BE POSTED ONLINE BY THE COURT

**OPPOSED** - plaintiff's counsel  
having complied with the requirements  
of Rule 4:23-6 by notifying plaintiff of  
the pending motion and requesting that  
plaintiff contact counsel.

**ORDERED** that counsel for the administrative  
party shall serve upon his or her client in  
accordance with R. 4:23-5(a)(1) a copy of  
this Order and the notice set forth in  
Appendix A.

# 1043  
open to 03/35  
10/28/16

**FILED**  
**OCT 28 2016**

JUDGE JESSICA R. MAYER

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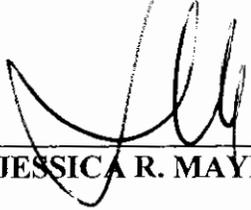
*Attorneys for Plaintiff Duane King*

-----	)	SUPERIOR COURT OF NEW JERSEY
DUANE KING, Individually, and as	)	LAW DIVISION: MIDDLESEX COUNTY
Proposed Administrator for the Estate of	)	
RUBY KING, Deceased	)	DOCKET NO.: MID-L-9377-14
	)	
Plaintiff,	)	CIVIL ACTION CASE NO. 282
	)	
vs.	)	
	)	
MERCK SHARP & DOHME CORP.	)	<b>ORDER</b>
	)	
Defendant.	)	
-----	)	

This matter, having been opened to the Court on application by Weitz & Luxenberg, counsel for Plaintiff Duane King, Individually, and as Proposed Administrator of the Estate of Ruby King, Deceased, an order in opposition to Defendant's Motion to Dismiss for Failure to Provide Discovery, having considered the submissions of the parties and for good cause shown.

IT IS on this 28th Day of October 2016, that ~~the~~ <sup>Defendant's</sup> motion is ~~DENIED~~ <sup>GRANTED for the reasons noted in the court's order dated 10/28/16.</sup>

**OPPOSED**

  
\_\_\_\_\_  
HON. JESSICA R. MAYER, J.S.C.