Eileen Oakes Muskett, Esquire COOPER LEVENSON APRIL NIEDELMAN & WAGENHEIM, P.A. 1125 Atlantic Avenue - 3rd Floor

APR 22 2010

Atlantic City, NJ 08401

Parol E. Higbee, P.J.Cv

(609) 344-3161

Attorneys Defendant, Merck Sharp & Dohme Corp.

In Re: FOSAMAX Litigation

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: ATLANTIC COUNTY

Civil Action Case No. 282 (Fosamax Litigation)

APPLIES TO ALL CASES

CASE MANAGEMENT ORDER

THIS MATTER having come before the Court for a Case Management Conference on April 15,

2010 and for good cause shown,

IT IS on this 2 day of April, 2010, ORDERED as follows:

The following deadlines are hereby set for the matters of *Alison Rosenberg v. Merck*,

ATL-L-3644-08 and Harriett Singer v. Merck, ATL-L-4073-08:

- 1. Plaintiff's Expert Reports are due May 15, 2010.
- 2. Defendant's Expert Reports are due on or before June 15, 2010.
- 3. Expert Discovery shall be completed on or before July 16, 2010.
- 4. Kemp and Summary Judgment Motions are due on or before August 3, 2010.
- 5. Oppositions to Kemp and Summary Judgment Motions are due on or before August 17, 2010.
- 6. Reply Briefs to Kemp and Summary Judgment Motions are due on or before August 24, 2010.
- 7. Motions in Limine are due on or before August 27, 2010.
- 8. Oppositions to Motions in Limine are due on or before September 3, 2010.
- 9. Reply Briefs to Motions in Limine are due on or before September 8, 2010

- 10. Hearing dates for the aforementioned motions shall be set by the court.
- 11. The trial date of July 12, 2010 has been adjourned.
- 12. The new trial date is September 27, 2010.

The Court has further ordered that plaintiff and defendant shall each designate five additional cases, for a total of ten cases, to represent a third tier of cases for individual core discovery. These cases shall be identified to the court on or before May 15, 2010.

Honorable Carol E. Higbee, P.J. Cv

CLAC; 438967.1

CLAC; 439109.1