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FILED

AUG 27 2010

Carol E. Higbee, P.J.Cv.

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 August 12, 2010 and for good cause shown,

IT IS on this 27 day of August, 2010, **ORDERED** as follows:

1. This Order supersedes the Order dated June 30, 2010.
2. The following schedule shall apply to *Alison Rosenberg v. Merck Sharp & Dohme Corp.*, Docket No. ATL-L-3644-08 (MT) ("Rosenberg") and *Harriett Singer v. Merck Sharp & Dohme Corp.*, Docket No. ATL-L-4073-08 (MT) ("Singer").
 - a) Expert Discovery shall be completed on or before September 15, 2010, except for the deposition of Dr. Angelo Licata which shall proceed on September 29, 2010.
 - b) Kemp and Summary Judgment Motions are due on or before October 15, 2010.
 - c) Oppositions to Kemp and Summary Judgment Motions are due on or before October 25, 2010.
 - d) Reply Briefs to Kemp and Summary Judgment Motions are due on or before November 1, 2010.
 - e) Motions in Limine are due on or before November 9, 2010.

- f) Oppositions to Motions in Limine are due on or before November 16, 2010.
- g) Reply Briefs in support of Motions in Limine are due on or before November 23, 2010.
- h) The court will set a hearing schedule for these motions in December 2010.

3. The following schedule shall apply to *Mary Hunter v. Merck Sharp & Dohme Corp.*, Docket No. 4091-08-MT ("Hunter") and *Patricia Life v. Merck Sharp & Dohme Corp.*, Docket No. 3706-09 (MT) ("Life")

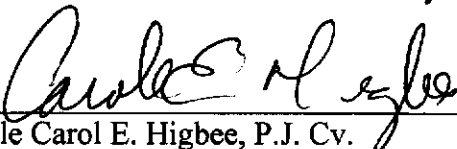
- a) Fact discovery shall be completed on or before July 30, 2010.
- b) Plaintiff's Expert Reports are due on or before August 16, 2010.
- c) Defendant's Expert Reports are due on or before September 16, 2010.
- d) Expert Discovery shall be completed on or before October 15, 2010.
- e) Kemp and Summary Judgment Motions are due on or before October 29, 2010.
- f) Oppositions to Kemp and Summary Judgment Motions are due on or before November 12, 2010.
- g) Reply Briefs to Kemp and Summary Judgment Motions are due on or before November 19, 2010.
- h) Motions in Limine are due on or before November 23, 2010.
- i) Oppositions to Motions in Limine are due on or before December 1, 2010.
- j) Reply Briefs to Motions in Limine are due on or before December 7, 2010.
- k) The court will set a hearing schedule for these motions in the first two weeks of January 2011.

4. The following schedule shall apply to *Ann Conway v. Merck Sharp & Dohme Corp.*, Docket No. ATL-L-4075-08 (MT) ("Conway"),

- a) Fact discovery shall be completed on or before August 13, 2010, except that plaintiff's deposition may proceed after this deadline on a mutually convenient date.
- b) Plaintiff's Expert Reports are due on or before August 27, 2010.
- c) Defendant's Expert Reports are due on or before September 27, 2010.

- d) Expert Discovery shall be completed on or before October 29, 2010.
- e) Kemp and Summary Judgment Motions are due on or before November 09, 2010.
- f) Oppositions to Kemp and Summary Judgment Motions are due on or before November 23, 2010.
- g) Reply Briefs to Kemp and Summary Judgment Motions are due on or before December 3, 2010.
- h) Motions in Limine are due on or before December 8, 2010.
- i) Oppositions to Motions in Limine are due on or before December 22, 2010.
- j) Reply Briefs to Motions in Limine are due on or before December 29, 2010.

The court will set a hearing schedule for these motions in the first two weeks of January 2011.



Honorable Carol E. Higbee, P.J. Cv.

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