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FILED

December 24, 2024

HON. BRUCE J. KAPLAN, J.S.C.

In Re: Fosamax

Applicable to All Cases on the

Attached Case List

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

FOSAMAX LITIGATION

DOCKET NO. MID-L-7153-14

CIVIL ACTION CASE NO. 282

ORDER DISMISSING WITH PREJUDICE

THIS MATTER, having been brought before the Court by Eileen Oaks Muskett, Esquire, of Fox Rothschild LLP, attorney for Defendant Merck Sharp & Dohme Corp, seeking an order dismissing with prejudice the Complaints of the Plaintiffs enumerated on the attached “Case List”, and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

IT IS on this 24th day of December 2024,

ORDERED Defendant’s Motion to Dismiss the claims of all Plaintiff’s on the case list attached with prejudice **is hereby GRANTED**; and it is further

ORDERED that service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this Order.

UNOPPOSED

/s/ Bruce J. Kaplan
HONORABLE BRUCE J. KAPLAN, J.S.C.

STATEMENT OF REASONS:

This Motion comes before the Court by way of Defendant Merck Sharp & Dohme Corp’s Motion to Dismiss with Prejudice the cases attached for lack of prosecution. The Court notes that there was no opposition.

Pursuant to the Case Management Order entered on September 19, 2024, Plaintiffs were duly notified that, in the event the individuals identified on Exhibit A and Exhibit B failed to reinstate the action and proceed in accordance with Rule 4:34-1 by substituting an authorized Personal Representative for the Estate of a deceased party within sixty (60) days of said Order, the Defendant would be entitled to file a motion for dismissal with prejudice. Upon a comprehensive review of the individual dockets corresponding to the cases listed below, the Court finds that each Plaintiff has failed to comply with the Court’s Order of September 19, 2024. The Plaintiffs have not adhered to the directive to reinstate and substitute an authorized Personal Representative for the Estate of the deceased parties within the prescribed sixty (60) days. Consequently, Defendant’s Motion to Dismiss with Prejudice is hereby granted with respect to each case enumerated on the Case List. This dismissal is effectuated in accordance with the clear terms of the Case Management Order, which explicitly afforded the Plaintiffs an opportunity to cure the deficiency within the designated timeframe, yet the Plaintiffs' failure to comply necessitates the dismissal of their claims. Motion granted.

**Case List to Order
Granting Dismissal With Prejudice**

Plaintiff Name	Plaintiff Counsel	Case No.
Cox, Mae Frances	Anapol Law Firm	L-8350-14
McGill, Roberta Jean	Anapol Law Firm	L-8351-14
Morton, Dorothy	Anapol Law Firm	L-8421-14
Tave, Florence B.	Anapol Law Firm	L-6712-14
Bivens, Veronica	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8224-14

Plaintiff Name	Plaintiff Counsel	Case No.
Fredine, William	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8796-14
Gray, Joyce	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8336-14
Hall, Karen	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8396-14
Hyde, Patricia	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-7566-14
Linn, Charlotte	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-9283-14
Lister, Joan	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8382-14
Paglia, Louise	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8878-14
Paynter, Janette	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8420-14
Standridge, Betty J.	Aylstock, Witkin, Kreis & Overholtz, PLLC	L-8222-14
Hassing, Yoko	Goza Honnold	L-9687-14
Ferry, Margaret	Beasley Allen	L-7822-14
Shiffer, Bonnie	Bern Ripka LLP	L-7634-14
Thompson, Arvis	Bern Ripka LLP	L-6254-19
Waldman, Anita	Bern Ripka LLP	L-7127-14
Klote, Jean Barbara	Bernstein Liebhard LLP	L-7595-14
Krish, Pauline Elizabeth	Bernstein Liebhard LLP	L-8106-14
Northcutt, James Emmit	Bernstein Liebhard LLP	L-7591-14
Ribas, Florence Mary	Bernstein Liebhard LLP	L-8873-14
Bathalter, Joyce	Cory Watson	L-1416-15
Clausing, Barbara	Cory Watson	L-7946-14
Jarmie, Marilyn	Cory Watson	L-7541-14
Madron, Donna	Cory Watson	L-7562-14
Mason, Karen	Cory Watson	L-8245-14
West, Ruth Ann	Cory Watson	L-8720-14
Yarbrough, Carolyn	Cory Watson	L-7654-14
Holmquist, Laurel	Douglas & London	L-9095-14
Passenant, Marie	Douglas & London	L-9098-14

Plaintiff Name	Plaintiff Counsel	Case No.
Stinson, Verna	Douglas & London	L-6773-14
Thomas, Patricia	Douglas & London	L-9104-14
Aldridge, Janice	Levin Papantonio	L-7767-14
Jean, Pauline	Levin Papantonio	L-6928-14
Patrick, Martha	Levin Papantonio	L-8782-14
Vinces, Gudys	Levin Papantonio	L-9351-14
Moore, Elsie Imogene	Locks Law Firm LLC	L-7410-14
Caponigro, Mary Ellen	Lopez McHugh	L-8167-14
Lagrimas, Vivian	Lopez McHugh	L-7116-14
Shepp, Garth Jill	Morelli Allers Ratner	L-7550-14
Bass, Dixie F.	Oshman & Mirisola	L-6821-14
Brand, Betty B.	Oshman & Mirisola	L-8592-14
Cupps, Ann C.	Oshman & Mirisola	L-7883-14
Besden, Thelma	Rheingold Valet	L-7150-14
Kreider, Dorothy	Robinson Calcagnie	L-7826-14
Tworek, Nancy	Robinson Calcagnie	L-8640-14
Ball, Hazel	Seeger Weiss	L-9160-14
Bowling, Vina	Seeger Weiss	L-2365-15
Bruskiewicz, Jacqueline	Seeger Weiss	L-6731-14
Chura, Mary T.	Seeger Weiss	L-8853-14
Connor, Jane H.	Seeger Weiss	L-6847-14
Dowling, Suzanne	Seeger Weiss	L-9159-14
Gach, Rachelle D.	Seeger Weiss	L-7730-14
Gardner, Doris	Seeger Weiss	L-2367-15
Kwiatek, Agnes	Seeger Weiss	L-7631-14
Michimoto, Eleanor T.	Seeger Weiss	L-6771-14
Pieschke, Lorraine Cooke	Seeger Weiss	L-7393-14
Pruess, Marilyn	Seeger Weiss	L-8296-14

Plaintiff Name	Plaintiff Counsel	Case No.
Rawlins-Fleming, Ann	Seeger Weiss	L-7351-14
Sutherland, Joan	Seeger Weiss	L-7439-14
Tedder, Bessie	Seeger Weiss	L-7228-14
Gentry, Betty Sue	The Michael Brady Lynch Firm	L-8202-14
Nellis, Frieda	The Michael Brady Lynch Firm	L-8475-14
Simpson, Ophelia	The Michael Brady Lynch Firm	L-7040-14
Brown-Tokoly, Carol	Weitz & Luxenberg	L-7817-14
Deavila, Gayle	Weitz & Luxenberg	L-9358-14
Farber, Betty	Weitz & Luxenberg	L-11023-14
Gannon, Barbara	Weitz & Luxenberg	L-7475-14
Gash, Sondra	Weitz & Luxenberg	L-8232-14
Guharoy, Tanima	Weitz & Luxenberg	L-9174-14
Haselbush, Martha	Weitz & Luxenberg	L-9550-14
Holley, Betty	Weitz & Luxenberg	L-6964-14
Hutter, Deborah	Weitz & Luxenberg	L-7073-14
Martin, Sylvia	Weitz & Luxenberg	L-8164-14
Mayes, Doris	Weitz & Luxenberg	L-6985-14
Ramone, Karen	Weitz & Luxenberg	L-9547-14
Russo, Phyllis	Weitz & Luxenberg	L-7852-14
Shepherd, Judy	Weitz & Luxenberg	L-7711-14
Wilkinson, Jean	Weitz & Luxenberg	L-7075-14
Willits, Bethel	Weitz & Luxenberg	L-8511-14
Wuehr, Elfriede	Weitz & Luxenberg	L-8887-14
Bowden, Mary Catherine	Westmoreland Vesper & Quattrone	L-7780-14