

GREENBERG TRAUIG, LLP

Glenn S. Kerner, Esq. (043431987)

One Vanderbilt Avenue

New York, NY 10017

Tel.: (212) 801-9200

Fax: (212) 801-6400

Glenn.Kerner@gtlaw.com

Carla R. Karp, Esq. (035482009)

Angelica Halat, Esq. (204462017)

500 Campus Drive, Suite 400

Florham Park, NJ 07932-0677

Tel.: (973) 360-7900

Fax: (973) 301-8410

Carla.Karp@gtlaw.com

halata@gtlaw.com

Attorneys for Defendant Teva

Pharmaceuticals USA, Inc.

OLLIE GATLIN,

Plaintiff,

v.

MERCK SHARP & DOHME CORP., et al.,

Defendants.

FILED

February 3, 2023

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

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-L-7108-14
MCL CASE NO. 282

CIVIL ACTION

ORDER

THIS MATTER, having been brought before the Court on February 3, 2023, by Motion of Greenberg Traurig, LLP, attorneys for Defendant Teva Pharmaceuticals USA, Inc. (“Teva”), for an Order to Dismiss the Plaintiff’s Complaint without prejudice for failure to comply with the Court’s December 13, 2022 Case Management Order to provide by December 21, 2022 proof that Plaintiff used generic alendronate manufactured by Teva Pharmaceuticals USA, Inc., and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

IT IS on this 3rd day of February, 2023;

ORDERED that Teva's Motion to Dismiss without prejudice **is hereby GRANTED**; and it is further

ORDERED that Plaintiff's, Ollie Gatlin's, Complaint is hereby **DISMISSED WITHOUT PREJUDICE** as to Defendant Teva Pharmaceuticals USA, Inc.; 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.

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

UNOPPOSED

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.