

FILED

September 8, 2023

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

IN RE: FOSAMAX® LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX
COUNTY

CASE NO. 282

**ORDER DIRECTING PARTIES TO
RESPOND TO OFFER TO JOIN
TENTATIVE SETTLEMENT**

THIS MATTER, having come before the Court at a case management conference on August 29, 2023, and the Court having been advised that all parties have been given notice of the terms of the tentative settlement between certain Plaintiffs and certain Generic Defendants, and counsel for Plaintiffs and counsel for Generic Defendants having been present and consented to the terms of this order, and for good cause having been shown;

IT IS on this 8th day of September, 2023, **ORDERED** as follows:

1. STATUS OF PLAINTIFFS

Counsel from each law firm representing active Plaintiffs with claims against one or more Generic Defendants shall notify Plaintiffs' Generic Settlement Liaison Counsel no later than twenty-one days following the entry of this order whether they intend to recommend to their clients that their clients join the settlement pending between certain Plaintiffs and certain Generic Defendants.

2. STATUS OF GENERIC DEFENDANTS

Counsel for each Generic Defendant not a signatory to the tentative settlement agreement, shall notify Generic Defendants' Settlement Liaison Counsel no later than twenty-one days following the entry of this order whether their clients intend to join the settlement pending between certain Plaintiffs and certain Generic Defendants.

/s/ Bruce J. Kaplan
Honorable Bruce J. Kaplan, J.S.C.

Service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. If applicable, pursuant to R. 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the entry of the Order.

ORDER SUBMITTED UNDER 5 DAY RULE ON
August 30, 2023 AND WITH NO OPPOSITION BEING FILED.