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Inc., and Roche Laboratories, Inc.

FILED

July 7, 2023

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

**IN THE SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY**

DOROTHY L. MASON,

Plaintiff,

vs.

MERCK SHARP & DOHME CORP.,
GLAXOSMITHKLINE, LLC., HOFFMAN-LA
ROCHE, INC., GENENTECH, INC., and
ROCHE LABORATORIES, INC.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MIDDLESEX
COUNTY

Docket No. MID-L-9710-14

FOSAMAX LITIGATION

ORDER

THIS MATTER having been opened to the Court by Bowman and Brooke LLP, attorneys for Defendants Roche Laboratories Inc. and Hoffmann-La Roche Inc., for an Order, pursuant to the Court's February 3, 2023 Order and Rule 4:23-2(b), dismissing Plaintiff's Complaint without prejudice for failure to provide proof of use, and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

IT IS on this 7th day of July, 2023;

ORDERED that Defendants Roche Laboratories Inc. and Hoffmann-La Roche Inc.'s Motion to Dismiss be and **hereby is GRANTED**; and it is further

ORDERED that Plaintiff's Complaint be and hereby is **dismissed without prejudice** as to Defendants Roche Laboratories Inc., Hoffmann-La Roche Inc., GlaxoSmithKline, Inc., and Genentech, Inc., for failure to provide proof of use for Boniva; 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.