

ANAPOL WEISS

By: Tracy A. Finken, Esquire
Atty ID No. 03831998
tfinken@anapolweiss.com
10000 Lincoln Dr. E., Suite # 201
Marlton, NJ 08053
TEL: (856) 415-3116
FAX: (215) 875-7731

FILED

March 4, 2025

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

Attorney for Plaintiff

Eleanor Mazza and Matthew Mazza w/h	:	SUPERIOR COURT OF NEW JERSEY
	:	MIDDLESEX COUNTY
Plaintiffs,	:	
	:	LAW DIVISION
v.	:	Docket No. L-008252-14
	:	
MERCK SHARP & DOHME CORP.	:	Fosamax Litigation
	:	
Defendant	:	<u>ORDER DENYING MOTION FOR</u>
	:	<u>LEAVE TO AMEND COMPLAINT</u>

THIS MATTER having come before the Court upon the application of Anapol Weiss, attorneys for Plaintiff, Eleanor Mazza and proposed Plaintiff, Personal Representative of Plaintiff's Estate, Patrice Lynch for an order granting leave to file an amended complaint, and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

IT IS on this 4th day of March 2025,

ORDERED that Plaintiff's Motion for Leave to file an Amended Complaint and substitute Patrice Lynch as Plaintiff **is hereby DENIED**; 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 Plaintiff's Motion for Substitution of Parties. There was no opposition.

Plaintiff failed to provide the Court with a certification in satisfaction with the Case Management Order uploaded to eCourts on the Fosamax Docket (Docket No. 7153-14) on November 12, 2024, stating the following:

“To the best of the undersigned counsel's knowledge, _____ (insert the representative's name) has the authority to serve and was designated as the authorized representative of plaintiff's estate, and has authorized the undersigned counsel for the plaintiff to substitute him/her as plaintiff and proceed with this action on behalf of the estate.”

This Court, by of way of clerk notice on February 18, 2025, notified Plaintiff that they were missing the aforementioned certification and adjourned the Motion so that Plaintiff had a chance to file the same. Plaintiff failed to upload the certification. Accordingly, the Motion is denied.