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

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*Attorneys for Defendants Merck & Co., Inc.
and Merck Sharp & Dohme Corp.*

IN RE: ZOSTAVAX® LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 629

ORDER

THIS MATTER, having come before the Court at a case management conference on February 4, 2020, in formal written submissions and during oral argument at which counsel for Plaintiffs and counsel for Defendants were present, and following Liaison Counsel meetings with the Court, and for good cause being shown;

IT IS on this 5th day of May 2021, hereby

ORDERED that the cases listed in the attached Exhibit A are dismissed *without prejudice* for failure to timely provide a Plaintiff Fact Sheet pursuant to the Court's instruction at the 2/4/2020 CMC and Case Management Order No. 8; and it is further

ORDERED that Plaintiff Carolena Largent, Docket No. MID-L-602-19, is dismissed *without prejudice* for failure to provide required power of attorney documentation pursuant to the Court's instruction at the 2/4/2020 CMC and Case Management Order No. 8; and it is further

ORDERED that Plaintiff may, within sixty (60) days move to have their complaints reinstated, having first provided a compliant Plaintiff Fact Sheet; and it is further

ORDERED that pursuant to R. 4:23-5(a)(2), Defendants may, after the expiration of 60 days from the date of the order, move on notice for an Order of dismissal with prejudice of any cases which Plaintiff has not moved to reinstate; 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 days of the date of this Order.

/s/ Bruce J. Kaplan

HONORABLE BRUCE J. KAPLAN, J.S.C.

On April 26, 2021, a meeting was held between Liaison Counsel for Plaintiffs and Defendants, at which the parties agreed that the instant Order should be entered. At the May 4, 2021 Case Management Conference the Court indicated that it would be dismissing all Complaints under this order *without prejudice*. Plaintiff shall thereafter have sixty (60) days to come into compliance with outstanding discovery obligations and move to reinstate. In the event that Plaintiff's do not come into compliance and move to reinstate within sixty (60) days of the date of this order, pursuant to R. 4:23-5(a)(2), Defendants may move to dismiss such Complaints with prejudice.

Exhibit A

Plaintiff	Docket No.
Anderson, Patricia	MID-L-000871-19
Badeges, Umar	MID-L-000685-19
Bamburg, Doris	MID-L-001305-19
Becker, Sharon (deceased) Thome, Sarah (personal rep)	MID-L-008301-18
Brady, Randall	MID-L-000694-19
Feurer, Francis	MID-L-008287-18
Glenna, Wayne (deceased) Glenna, Perry (personal rep)	MID-L-000558-19
Gore, Richard	MID-L-000520-19
Harris, Penny	MID-L-000193-19
Hauser, Marilyn	MID-L-000628-19
Hurd, Phyllis (deceased) Horton, Douglas J. (personal rep)	MID-L-000489-19
Jackson, Imogene	MID-L-008108-18
Langell, Karen	MID-L-008669-18
Larocca, Margaret	MID-L-008272-18
Rhodes, Barbara	MID-L-008645-18
Scott, Joyce	MID-L-007879-18
Solomons, Bruce	MID-L-000454-19
Stodgel, Nancy	MID-L-008638-18
Thompson, Jeanne	MID-L-000499-19
Walker, Jack	MID-L-000506-19
Williams, Gloria	MID-L-000552-19
Wojtecki, Bette	MID-L-000911-19

Plaintiff	Docket No.
Allcock, Mary	MID-L-000670-19
Allen, Mary	MID-L-000671-19
Bates, Gail	MID-L-008280-18
Beeman, Patricia (deceased) Williams, Michael (personal rep)	MID-L-008302-18
Blodgett, Rosemary	MID-L-000689-19
Britt, William D.	MID-L-003222-19
Brown, Deborah	MID-L-000468-19
Brown, Marcia	MID-L-000696-19
Brown, Sharon	MID-L-008686-18
Buckley, Elizabeth	MID-L-008646-18
Butler, William	MID-L-000698-19
Capley, Donald	MID-L-008662-18
Carpenter, Karen	MID-L-000568-19
Cole, Michael	MID-L-000655-19
Colwell, Josephine	MID-L-000430-19
Crawley, Patricia	MID-L-000945-19
Cupp, Richard	MID-L-000661-19
Dausch, Fred	MID-L-008107-18
Deal, Edna	MID-L-000531-19
Dearing, Robert	MID-L-000018-19
Delfico, Louise	MID-L-008257-18
Deonanan, Venus	MID-L-000664-19
Doud, Beatrice	MID-L-008283-18
Easter, Georgia	MID-L-000530-19
Eick, Janet	MID-L-000040-19
Fulton, Sheila	MID-L-000556-19
George, Gale	MID-L-008291-18
Hall, Judy	MID-L-000478-19
Hall, Wayne M.	MID-L-000913-19
Hamilton, Frank	MID-L-000479-19
Hardesty, Barbara	MID-L-000483-19
Harneck, Clara	MID-L-008264-18
Henderson, Laverna	MID-L-008625-18
Horton, Loman	MID-L-000488-19

Jacona, Carmela (deceased) Jacona, Jerome (personal rep)	MID-L-000490-19
Jeness, Judith	MID-L-008706-18
Johnson, Arlene	MID-L-000206-19
Kane, Frances	MID-L-008129-18

Kratz, William	MID-L-008612-18
Lange, Dona	MID-L-000163-19
Lopas, Robert	MID-L-008262-18
Lundberg, Garey	MID-L-000650-19
Mages, Clarence	MID-L-008296-18
Maggart, Sylvia	MID-L-000651-19
Maiola, Francine	MID-L-000201-19
Makowski, Dennis	MID-L-008705-18
Marling, John (deceased) Marling, Ramonda (personal rep) Williams, Mischelle (personal rep)	MID-L-000616-19
Marmon, Bruce	MID-L-000617-19
McKinney, Debra	MID-L-000675-19
McNeely, Jack (deceased) Steele, Sandy (personal rep)	MID-L-000533-19
Moose, Keith	MID-L-008268-18
Morrison, Eva J.	MID-L-000679-19
Oehmke, Linda	MID-L-000049-19
Parr, Bonnie	MID-L-008248-18
Partash, Lawrence	MID-L-000580-19
Perkins, Diane	MID-L-000834-19
Podgorski, Carolyn	MID-L-000892-19
Radford, James	MID-L-000528-19
Rahming, Priscilla	MID-L-000474-19
Riani, Rocco A.	MID-L-000518-19
Sadler, Gorma	MID-L-000969-19
Sanchez, Enrique	MID-L-007944-18
Schadow-Heffron, E. Jeannie	MID-L-000535-19
Sewell, George	MID-L-000898-19
Shaffner, James	MID-L-000541-19
Solomon, Donald	MID-L-008307-18

Stahl, Mary (deceased) Gallamore, Barbara (proposed admin)	MID-L-007914-18
Stark, Margaret	MID-L-008306-18
Thomas, Marvin	MID-L-000083-19
Tudor, Viola	MID-L-000973-19
Voyles, Emma J.	MID-L-007942-18
Wagner, Jo Anne	MID-L-000504-19
Wampole, Mary (deceased) David, Erica (proposed admin)	MID-L-000547-19
Warfied, Margeret (Warfield, Margaret)	MID-L-000507-19
Wiener, Susan	MID-L-007931-18
Wisely, Lana	MID-L-000554-19
Wyckoff, Carol	MID-L-000511-19
Zaniewski, Patricia	MID-L-000512-19
