

FILED

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Judge James F. Hyland

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IN RE: ZOSTAVAX® LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 629

ORDER

**DISMISSAL WITH PREJUDICE FOR
FAILURE TO PROVIDE A COMPLETE
PLAINTIFF FACT SHEET**

THIS MATTER, having come before the Court at a case management conference on December 17, 2019 at which counsel for Plaintiffs and counsel for Defendants were present.

IT IS on this 13 day of ~~January~~ ^{February} 2020, ORDERED as follows:

Because the plaintiffs Michael Desplaines, Gwendell Jenkins, James Pickersgill, and Norman Rose served egregiously deficient Plaintiff Fact Sheets, and because Debra Sherard failed to provide a certified Plaintiff Fact Sheet, they are in violation of the Court's instruction at the December 17, 2019 case management conference and their claims are, therefore, dismissed *with prejudice*.



The Honorable James Hyland, J.S.C.

Exhibit A – Plaintiffs Removed from the Court's Dismissal Order After Bern Submitted a Late PFS on November 6, 2019, for Whom Bern Has Since Failed to Remedy Egregious Deficiencies, Lack of Verification, or Both

Plaintiff	Case Caption (Lead Plaintiff)	Docket Number
Desplaines, Michael	Bennett, Sherwood et al. v. Merck & Co., Inc.	MID-L-003374-18
Jenkins, Gwendell	Golotto, Rosemary et al. v. Merck & Co., Inc.	MID-L-000728-18
Pickersgill, James	Burt, Jerry et al. v. Merck & Co., Inc.	MID-L-002500-18
Rose, Norman	Agresti, Paul et al. v. Merck & Co., Inc.	MID-L-003015-18
Sherard, Debra	Anderson, Tammy et al. v. Merck & Co., Inc.	MID-L-004177-17