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**FILED**

**FEB 13 2020**

**Judge James F. Hyland**

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

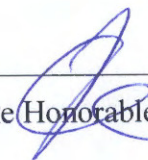
**ORDER**

**DISMISSAL WITHOUT PREJUDICE FOR  
FAILURE TO COMPLY WITH THE  
COURT'S NOVEMBER 20, 2019 ORDER**

THIS MATTER, having come before the Court at a hearing November 20, 2019 at which counsel for Plaintiffs and counsel for Defendants were present, and pursuant to paragraph 2 of this Court's November 20, 2019 Order:

IT IS on this 13<sup>th</sup> day of ~~December~~ February 2020 2019, ORDERED as follows:

The cases listed in the attached Exhibit A are dismissed *without prejudice* for failure to remedy Plaintiff Fact Sheet (PFS) deficiencies as required under paragraph 2 of the Court's November 20, 2019 Order. In every case listed in Exhibit A, plaintiffs failed to remedy the deficiencies that existed upon entry of the November 20 Order because they failed to provide required documentation, including death certificate and affidavit of next of kin, thereby rendering their authorization invalid .

  
The Honorable James Hyland, J.S.C.

**Exhibit A – Plaintiffs for Whom Bern Submitted a Signed PFS but Failed to Provide Documentation of the Signatory’s Authority to Represent the Plaintiff**

<b>Plaintiff</b>	<b>Case Caption (Lead Plaintiff)</b>	<b>Docket Number</b>
Alexander, Sharon	Bennett, Sherwood et al. v. Merck & Co., Inc.	MID-L-003374-18
Biles, Paul	Kilgore, Carol et al. v. Merck & Co., Inc.	MID-L-001599-18
McMichael, Josephine	Barber, Anne et al. v. Merck & Co., Inc.	MID-L-003014-18
Richards, Hubert	Hess, David et al. v. Merck & Co., Inc.	MID-L-007301-17
Warfield, Kathy	Sisnetsky, Eugene et al. v. Merck & Co., Inc.	MID-L-007525-17