

FILED**NOVEMBER 3, 2021****HON. BRUCE J. KAPLAN, J.S.C.**
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 629

CONSENT ORDER

IN RE: ZOSTAVAX® LITIGATION

AND NOW, this 3rd day of November 2021, upon consent of all counsel of record in this matter; it is hereby **ORDERED** as follows:

1. The cases set forth in Exhibit A shall be dismissed without prejudice if they fail to provide Proof of Use with page and line reference within 45 days of the date of this Order.
2. Within 45 days of this Order, plaintiffs' counsel shall identify to counsel for Merck those cases from Exhibit A for which sufficient proof of use with page and line reference has been served pursuant to this Order.
3. Following the 45th day, Defense counsel may submit an Order for dismissal of the cases without prejudice that have failed to comply with this Order and not identified by plaintiffs' counsel as compliant.
4. Any dispute as to sufficiency of the proof of use after page and line reference is provided shall be resolved by the Judge upon motion and any such case will not be subject to this consent order.

ORDERED, that service of this Order shall be deemed effectuated upon all parties upon its upload to e-Courts. 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.

Exhibit A – POU Consent Order

Plaintiff	Docket No.
Brown, Geraldine W.	MID-L-003329-20
Brown, Wanda	MID-L-004823-20
Burns, Donna	MID-L-005592-20
Carns, Steven	MID-L-005556-20
Cullar, Norma	MID-L-005332-20
Eiland, June	MID-L-003475-20
Engleman, Robert	MID-L-005610-20
Golden, Dianna	MID-L-005488-20
Hawkins, Betty	MID-L-005459-20
Johnson, Pauline	MID-L-004885-20
Lozano, Edward	MID-L-003779-20
Lumpkin, Mary	MID-L-004143-20
Manning, Sarah	MID-L-008265-18
Martucci, Arlene	MID-L-000887-19
Melvin, Alvin	MID-L-004916-20
Messer, Linda	MID-L-007249-18
Miller, Charlotte	MID-L-003394-20
Murphy, Anne	MID-L-005082-19
Nichols, Kenneth	MID-L-005670-20
Nickell, Dorothy	MID-L-003754-20
Nilo, Rosemary (deceased) Downs, Kristina Nilo (admin)	MID-L-006309-18
Noles, James	MID-L-000186-19
Pace, Leroy	MID-L-008087-18
Perrone, Ralph	MID-L-000889-19
Phillips, Bonnie	MID-L-003322-20
Putman, Judy	MID-L-003559-20
Ragsdale, Ida	MID-L-005031-20
Riddle, Helen	MID-L-003544-20
Riffle, Del	MID-L-004117-20
Rose, Robert	MID-L-006256-18
Ross, Kenneth	MID-L-003749-20
Rubin, Sandra	MID-L-005210-19
Safford, Robert	MID-L-003667-20
Saunders, Barbara	MID-L-005003-20
Slayton, Shirley	MID-L-004149-20
Spurlock, Larry	MID-L-003523-20
Standiferd, Elizabeth	MID-L-005716-20
Whitehead, Jackie	MID-L-006566-18

Exhibit A – POU Consent Order

Plaintiff	Docket No.
Williams, Linda (TN) (deceased) Williams, Kevin (admin)	MID-L-003338-20
Wolcott, Betty	MID-L-005058-20