

**FILED**  
**DECEMBER 14 , 2021**  
**HON. BRUCE J. KAPLAN, J.S.C.**

IN RE: ZOSTAVAX® LITIGATION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 629

**PROOF OF USE CONSENT ORDER**

**AND NOW**, this 14th day of December 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 product usage 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 proof of product usage has been served pursuant to this Order.
3. Following the 45<sup>th</sup> 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.

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

**Exhibit A to POU Consent Order**

<b>Plaintiff</b>	<b>Docket No.</b>
Brown, Thomas Lee (deceased) Brown-Osborne, Rhonda (admin)	MID-L-006962-20
Caputo, Patricia	MID-L-007909-19
Coffey, Elwanda	MID-L-004969-19
Dinan, Eunamae	MID-L-007910-19
Engles, Jacoba	MID-L-007913-19
Holtzman, John	MID-L-007921-19
Parker, Patricia	MID-L-001843-20
Savell, Katy	MID-L-007920-19
Steck, Alice	MID-L-007165-20
Tessmer, Doris	MID-L-007912-19
Wacin, Carolyn	MID-L-007918-19
Zamarripa, Sandra J.	MID-L-001845-20