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FILED
MARCH 2 , 2021
HON. BRUCE J. KAPLAN, J.S.C.

MARSHALL HARVEY,

Plaintiff,

vs

MERCK & CO., INC., *et al.*,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
MCL NO. 629
DOCKET NO. MID-L-003932-18

CONSENT ORDER

AND NOW, this 2nd day of March 2021, upon consent of all counsel of record in this matter; it is hereby **ORDERED** as follows:

- 1) Plaintiff may amend the complaint in this matter to add plaintiff's spouse, MILDRED HARVEY, as a plaintiff party within 14 days of the entry of this Order;
- 2) Plaintiff may amend the complaint in this matter to assert loss of consortium claims on behalf of plaintiff's spouse, MILDRED HARVEY, within 14 days of the entry of this Order; and
- 3) This Consent Order does not bar Defendants from asserting Statute of Limitations affirmative defenses specifically pertaining to the newly asserted loss of consortium claims alleged by plaintiff's spouse, MILDRED HARVEY, in the amended complaint, and such affirmative defenses are not waived by virtue of entering into this Consent Order.

APPROVED AND SO ORDERED this 2nd day of March, 2021

/s/ Bruce J. Kaplan

The Honorable Bruce J. Kaplan, J.S.C.

All Amended Complaints permitted under this Order must be filed and served within fourteen (14) days of the date hereof.

The posting of this Order on eCourts shall constitute service upon all counsel of record. If applicable, pursuant to *Rule 1:5-1(a)*, the movant shall serve a copy of this Order upon all parties not served electronically within seven (7) days of receipt of this Order.