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FILED

September 22, 2023

HON. BRUCE J. KAPLAN, J.S.C.

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IN RE ZOSTAVAX LITIGATION

*Ernest Keith and Barbara A. Keith v. Merck & Co., Inc., Merck Sharp & Dohme Corp., and McKesson Corp.*

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX  
COUNTY

MCL NO. 629

DOCKET NO.: MID-L-005530-20

**ORDER**

**WHEREAS**, Plaintiff, by and through her attorneys Marc J. Bern & Partners LLP, upon notice to all interested parties, has moved before this Court for vacation of the June 9, 2023 Order of dismissal without prejudice of the above matter, and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

**IT IS** on this 22<sup>nd</sup> day of September, 2023;

**ORDERED** that the motion is granted, and all claims of Plaintiff are hereby **REINSTATED**; and it is further

**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.

**UNOPPOSED**

Having read and considered the above motion, the Court finds it to be unopposed, meritorious on its face, and in compliance with R. 1:21-2. In addition, see the September 22, 2023 Order entered amending the complaint. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.