

**FILED**

**MAY 4 , 2021**

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

**ORDER OF BRUCE J. KAPLAN, J.S.C.**  
SUPERIOR COURT OF NEW JERSEY  
CIVIL DIVISION | MIDDLESEX  
COUNTY  
56 PATERSON STREET  
NEW BRUNSWICK, NEW JERSEY 08903

**In Re Zostavax® Litigation**

SUPERIOR COURT OF NEW JERSEY  
CIVIL DIVISION: MIDDLESEX COUNTY

**MCL NO. 629**

**MASTER DOCKET NO. 4999-18**

CIVIL ACTION

**ORDER TO VACATE**

**THE COURT**, having been advised by Defendants, Merck Sharp & Dohme, Corp. and Merck & Co., Inc. (“Merck”), through their attorney, Eileen Oaks Muskett, Esq., that they had not received service of Motions to Reinstate filed in docket numbers **4023-18** (Dave Brashears) LCV2020733553; **4984-19** (Donna Hodak) LCV 2020894943; **3381-19** (Sharon Johnson) LCV2020848227; **4918-19** (Barbara Jones) LCV2020847487; **3232-19** (Leon Leach) LCV2020895064; **5086-19** (Tim McCallister) LCV2020850801; **4217-19** (Carolyn Rabon) LCV2020769896; and **912-19** (Cedri Schieber) LCV2020769223, which were ultimately granted as unopposed, and the Court having confirmed that, while the foregoing Motions were properly filed on eCourts, Merck did not receive service of said Motions, and in the interests of justice,

**IT IS** on this 4 day of May 2021:

**ORDERED** that the Orders granting the foregoing Motions to Reinstate be and are hereby **VACATED**, the foregoing Plaintiffs’ cases therefore remain dismissed; and it is further

**ORDERED** that the Court will treat the foregoing Motions to Reinstate as “pending” and will adjourn them to be heard on May 28, 2021; and it is further

**ORDERED** that Defendants’ opposition will be due in accordance with the Court’s Motion Cycle Calendar, on May 20, 2021; and it is further

**ORDERED** that Plaintiffs’ reply will be due in accordance with the Court’s Motion Cycle Calendar, on May 24, 2021; and it is further

**ORDERED** that this Order shall be deemed served upon its filing to eCourts. A copy of this Order shall be served upon all parties who have not been electronically served through an approved Electronic Court System pursuant to Rules 1:5-1(a) and 1:5-2.

*/s/ Bruce J. Kaplan*

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