

Margaret Cordner Esq. (104432014)
MARC J. BERN & PARTNERS LLP
60 East 42nd Street, Suite 950
New York, New York 10165
Phone: (212) 702-5000
Facsimile: (212) 818-0164
E-mail: mcordner@bernllp.com
Attorneys for Plaintiff(s)

FILED
OCTOBER 8 , 2021
HON. BRUCE J. KAPLAN, J.S.C.

IN RE ZOSTAVAX LITIGATION

ALBERT CHEEVER, as
Personal Representative for the Estate of
ADELAIDE CHEEVER (Deceased),

Plaintiff,

v.

MERCK & CO., INC., et al.

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY

MCL NO.: 629

DOCKET NO.: MID-L- 008569 -18

ORDER

WHEREAS, Plaintiff, by and through their attorneys Marc J. Bern & Partners LLP, upon notice to all interested parties, has moved before this Court to substitute Plaintiff's personal representative and heir, ALBERT CHEEVER, as Personal Representative for the Estate of ADELAIDE CHEEVER (Deceased), v. MERCK & CO., INC., et al. as Plaintiff in this matter.

IT IS on this 8th day of October, 2021, hereby

ORDERED that the motion is **GRANTED**, and that the metadata and the caption in this matter shall reflect that Plaintiff is ALBERT CHEEVER, as Personal Representative for the Estate of ADELAIDE CHEEVER (Deceased), v. MERCK & CO., INC., et al.,

ORDERED that the Motion is **GRANTED** and Movant Albert Cheever, as Personal Representative for the Estate of Adelaide Cheever (Deceased), is substituted for the deceased Plaintiff Adelaide Cheever; and it is

FURTHER ORDERED that the caption will be amended to read “Albert Cheever, as Personal Representative for the Estate of Adelaide Cheever (Deceased), v. Merck & Co., Inc. and Merck Sharp & Dohme Corp.”; and it is

FURTHER ORDERED that Plaintiff shall file and serve an amended Complaint within **ten** (10) days of the date of this Order; and it is

FURTHER ORDERED that this Order shall be deemed served upon its filing to eCourts. Movant shall serve this Order on all parties not electronically served within seven (7) days of the date of this Order in accordance with R. 1:5-1(a).

/s/ Bruce J. Kaplan

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

UNOPPOSED

Having reviewed the within Motion, the Court finds it to be meritorious on its face, in compliance with R. 4:34-1, and unopposed. It therefore will be granted essentially for the reasons set forth in the moving papers in accordance with R. 1:6-2.