

**FILED**

**MAY 5 , 2021**

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

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*Attorneys for Defendants Merck & Co., Inc.  
and Merck Sharp & Dohme Corp.*

IN RE ZOSTAVAX LITIGATION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

MCL NO. 629

**ORDER**

**THIS MATTER**, having come before the Court by Counsel for Defendants, Merck & Co., Inc. and Merck Sharp & Dohme Corp, for an Order compelling the production of materially complete Plaintiff Fact Sheets from the Plaintiffs listed in the Exhibit affixed hereto, and having considered the moving papers filed by Defendants on February 18, 2020, as well as the opposition and reply thereto, and having heard oral argument at which counsel for Plaintiffs and counsel for Defendants were present, and following Liaison Counsel meetings with the Court, and for good cause being shown;

**IT IS** on this 5th day of May 2021, hereby:

**ORDERED** that the Defendants' motion be GRANTED and plaintiffs set forth in Exhibit A shall produce a materially complete and certified Plaintiff Fact Sheet within 14 days of the date of this Order. Plaintiffs are HEREBY PLACED ON NOTICE that failure to produce a materially complete PFS in compliance with the dictates of the PFS Case Management Order and

this Order, MAY RESULT IN DISMISSAL WITH PREJUDICE upon motion of defendants;  
and it is further

**ORDERED** that service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven days of the date of this Order.

*/s/ Bruce J. Kaplan*

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

On April 26, 2021, a meeting was held between the Court and Liaison Counsel for Plaintiffs and Defendants, at which the parties agreed that the instant Order should be entered. Any Plaintiff in the attached Exhibit who is already in compliance, need not take further action under this Order.

**Exhibit A**

<b>Plaintiff</b>	<b>Docket No.</b>	<b>Previous Docket No.</b>
Alvarez, Ma L.	MID-L-004126-20	MID-L-001318-18
Cohen, Mirl	MID-L-004850-20	MID-L-003014-18
Doane, Leroy J. (deceased) Doane III, Leroy (admin)	MID-L-005570-20	MID-L-003827-18
Ha, Bao	MID-L-003448-20	MID-L-007028-17
Hardison, Elaine	MID-L-003484-20	MID-L-007028-17
Harney, Teresa	MID-L-003567-20	MID-L-006620-17
Hoffler, Gladys	MID-L-003735-20	MID-L-007635-17
Hopkins, Mary Ann	MID-L-005053-20	MID-L-002500-18
Howell, Donal	MID-L-004972-20	MID-L-003014-18
Johannemann, Carole	MID-L-007028-17	
Jones, Charles W.	MID-L-005060-20	MID-L-002500-18
Keller, Brenda	MID-L-003420-20	MID-L-005705-17
Kelly, Francis	MID-L-005075-20	MID-L-002500-18
Lawrence, Lois	MID-L-003391-20	MID-L-004929-17
Lessick, Eugene	MID-L-005083-20	MID-L-002500-18
Martin, Sara	MID-L-003703-20	MID-L-000321-18
Millan, Donna	MID-L-004918-20	MID-L-003014-18
Miller, Doris	MID-L-004912-20	MID-L-003374-18
Miller, Thomas	MID-L-004287-20	MID-L-001599-18
Mondo, Mary	MID-L-004915-20	MID-L-003374-18
Moore, Faye	MID-L-003395-20	MID-L-004929-17
Newcomb, Inez	MID-L-004209-20	MID-L-000728-18
Perry, Joyce	MID-L-004286-20	MID-L-001599-18
Raleigh, Marilyn	MID-L-004336-20	MID-L-001319-18
Rice, Linda	MID-L-004231-20	MID-L-001886-18
Rucker, Minnie	MID-L-003364-20	MID-L-004659-17
Seagle, Carolyn	MID-L-003334-20	MID-L-004457-17
Taylor, Linda	MID-L-005010-20	MID-L-002500-18
Troxler, Frances Mary	MID-L-004239-20	MID-L-001886-18
Vega, Aline	MID-L-005014-20	MID-L-002500-18
Wolfe, Phyllis	MID-L-004158-20	MID-L-001318-18
Zavalick, Thaddeus	MID-L-004159-20	MID-L-001318-18