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MARSHALL HARVEY, *et al.*,

Plaintiffs,

v.

MERCK & CO., INC., a corporation;  
MERCK SHARP & DOHME CORP., a  
corporation; McKESSON CORP., a  
corporation,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 629  
ZOSTAVAX LITIGATION  
DOCKET NO. MID-L-003932-18

**ORDER GRANTING LEAVE  
TO AMEND AND BIFURCATE  
THE COMPLAINT**

**THIS MATTER** having been submitted to the Court by Marc J. Bern & Partners LLP, attorneys for Plaintiffs Marshall Harvey, et al., and the Court having reviewed the moving papers and for good cause having been shown:

**IT IS** on this \_\_\_\_\_ 16<sup>th</sup> \_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 2020 **ORDERED** that:

1. Plaintiffs' Motion for Leave to Amend and Bifurcate the Complaint is **GRANTED**.
2. Plaintiff, Marshall Harvey, shall file an amended complaint within twenty (20) days from the date that this Order is entered.
3. Each other Plaintiff whose claims were brought in the original complaint in this matter shall file individual complaints within twenty (20) days from the date that this Order is entered.
4. Each complaint filed for each other Plaintiff whose claims were brought in the original complaint in this matter shall be deemed served on the date of the original complaint.
5. A copy of this Order shall be deemed served on all attorneys of record via e-filing on the date set forth herein. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically, nor served personally in court this date, within seven (7) days of the date of this Order.

**SO ORDERED:**           /s/ James F. Hyland            
Hon. James F. Hyland, J.S.C.

UNOPPOSED

"Having found the motion documents were served in accordance with R.1:6-3, this instant motion is deemed uncontested and is decided essentially for the reasons set forth in the moving papers pursuant to R.1:6-2."