

**FILED**

**OCTOBER 8 , 2021**

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

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IN RE ZOSTAVAX LITIGATION

CATHERINE HOLLY BRIGHTWELL  
FERGUSON, as Administrator for the Estate  
of CYNTHIA PIERCE,

Plaintiff,

v.

MERCK & CO., INC., et al.

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX COUNTY

MCL NO.: 629

DOCKET NO.: MID-L- 002628-19

**ORDER**

**THIS MATTER** being opened to the Court by Marc J. Bern & Partners LLP, attorneys for Plaintiff, Cynthia Pierce, and Movant, Catherine Holly Brightwell Ferguson, for an Order permitting substitution of deceased Plaintiff Cynthia Pierce by Catherine Holly Brightwell Ferguson, as Administrator of the Estate of Cynthia Pierce, and for an Order amending the caption to reflect same, such that the caption will read “Catherine Holly Brightwell Ferguson as Administrator of the Estate of Cynthia Pierce v. Merck & Co., Inc. and Merck Sharp & Dohme Corp.” and the Court having considered the moving papers, the respective Certification of Margaret Cordner, Esq. and annexed exhibits submitted in support of the motion, and for good cause shown;

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

**ORDERED** that the Motion is **GRANTED** and Movant Catherine Holly Brightwell

Ferguson as Administrator of the Estate of Cynthia Pierce, is substituted for deceased Plaintiff Cynthia Pierce; and it is

**FURTHER ORDERED** that the caption will be amended to read “Catherine Holly Brightwell Ferguson as Administrator of the Estate of Cynthia Pierce 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 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*

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**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. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.