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**FILED**

February 17, 2023

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

IN RE ZOSTAVAX LITIGATION

CINDY YANUZZI as Successor Trustee of  
JOSEPH WILKINSON (Deceased), v. MERCK  
& CO., INC., et al.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX COUNTY

MCL NO.: 629

DOCKET NO.: MID-L-007936-18

**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 heir, CINDY YANUZZI as Successor Trustee of JOSEPH WILKINSON v. MERCK & CO., INC., et al. as Plaintiff in this matter, and the Court having read and considered the papers submitted in this matter, and for good cause shown;

**IT IS** on this 17th day of February, 2023;

**ORDERED** that the motion is **DENIED without prejudice**, and it is further

**ORDERED** that service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. Pursuant to R. 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the entry of the Order.

*/s/ Bruce J. Kaplan*  
HONORABLE BRUCE J. KAPLAN, J.S.C.

**UNOPPOSED**

Attached to the motion is 1995 trust agreement and 2019 amendment. What is not attached to the motion is any evidence that Cindy Yanuzzi has been formally appointed as successor trustee.