

FILED

MARCH 5, 2021

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

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PHYLLIS BENGTON,

Plaintiffs

vs

MERCK & CO, INC., et al.,

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-003681-20

**ORDER ADMITTING
ANDREA N. SMITHSON
ESQ., *PRO HAC VICE***

WHEREAS, Plaintiff, Phyllis Bengton, by and through its attorneys Marc J. Bern & Partners, LLP upon notice to all interested parties, has moved before this Court for admission *pro hac vice* of Andrea N. Smithson, Esquire; and the Court having considered the papers submitted in support thereof; and the Court having found that Andrea N. Smithson, Esquire, is a member in good standing before the bar of the highest Court of the State of New York, where she is domiciled and principally practices law; and for other good cause shown,

IT IS on this 5 day of ~~February~~ March, 2021, hereby **ORDERED** that the motion is granted, and Andrea Smithson, Esquire, is admitted to practice *pro hac vice* before this Court, pursuant to *R. 1:21-2*, for all purposes and in all proceedings in the same manner as an attorney who is admitted to practice in this State and is domiciled and maintains an office for the practice of law in the State of New Jersey, provided that each shall:

1. abide by the Rules of the Court for the State of New Jersey, including all disciplinary Rules;
2. consent to the appointment of the Clerk of the Supreme Court as an agent upon whom service of process may be made for all actions against her or her firm that may arise out of her participation in these cases;
3. notify the Court immediately of any matter affecting her standing at the bar of any Court; and
4. have all pleadings, briefs, and other papers filed in this Court signed by an attorney-at-law of this Court employed by the law firm of Marc J. Bern & Partners, LLP who shall be responsible for them, for the conduct of the cause of Andrea Smithson, Esquire.
5. not be designated as trial counsel and must be accompanied by a member of the New Jersey bar for all proceedings, unless specifically waived by the Court.

IT IS FURTHER ORDERED that Andrea Smithson, Esquire, shall make payment of all fees due to the State of New Jersey within 30 days of the entry of the pro hac vice Order allowing for admission and as provided in the New Jersey Rules of Court, R. 1:20-1(b), 1:28-2, and 1:28B-1(e).

IT IS FURTHER ORDERED that *pro hac vice* admission in the State of New Jersey shall automatically terminate for failure to make the initial payment required by R. 1:20-1(b), R. 1:28-1, and R. 1:28-2.

IT IS FURTHER ORDERED that service of this Order shall be deemed effectuated upon all parties upon its upload to e-Courts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this Order.

/s/ Bruce J. Kaplan

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(X)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.