

NOTICE TO THE BAR

MULTICOUNTY LITIGATION – DESIGNATION OF SINGULAIR® LITIGATION AS MCL

A previous Notice to the Bar requested comments on an application for multicounty litigation (MCL) designation of New Jersey state-court litigation alleging injuries due to use of the prescription medication Singulair®. This Notice is to advise that the Supreme Court, after considering the application and the comments received, has determined to approve the requested MCL designation for this litigation. The Court further determined to assign this MCL to Atlantic County for centralized case management by Superior Court Judge John C. Porto.

Published with this Notice is the Supreme Court's January 4, 2022 Order making this MCL designation and assignment. This Order is posted in the Multicounty Litigation Center <http://www.njcourts.gov/attorneys/mcl/index/html> on the Judiciary's website (www.njcourts.gov). Judge Porto's Initial Case Management Order will be posted in the Multicounty Litigation Center.

Questions concerning this matter may be directed to Melissa A. Czartoryski, Chief, Civil Practice Division, Administrative Office of the Courts, Hughes Justice Complex, P. O. Box 981, Trenton, New Jersey 08625-0981; telephone: (609) 815-2900 ext. 54901; e-mail address: Melissa.Czartoryski@njcourts.gov.



Glenn A. Grant
Administrative Director of the Courts

Dated: January 21, 2022

SUPREME COURT OF NEW JERSEY

On application made pursuant to Rule 4:38A and the Multicounty Litigation Guidelines and Criteria for Designation (Revised) promulgated by Directive #02-19 in accordance with that Rule, it is hereby ORDERED that all pending and future New Jersey state court actions against Merck & Co., Inc. and Merck Sharp & Dohme Corp., alleging injuries as a result of the use of the prescription medication **Singulair**[®], be designated as multicounty litigation (“MCL”) for centralized management purposes; and

It is FURTHER ORDERED that any and all such complaints that have been filed in the various counties and that are under or are awaiting case management and/or discovery shall be transferred from the county of venue to the Superior Court, Law Division, Atlantic County and that, pursuant to N.J. Const., Art. VI, sec. 2, par. 3, the provisions of Rule 4:3-2 governing venue in the Superior Court are supplemented and relaxed so that all future such complaints, no matter where they might be venued, shall be filed in Atlantic County; and

It is FURTHER ORDERED that Superior Court Judge John C. Porto shall oversee management and trial issues for such cases and may, in his discretion, return such cases to the original county of venue for disposition; and

It is FURTHER ORDERED that no Mediator or Master may be appointed in this litigation without the express prior approval of the Chief Justice.

For the Court,



Chief Justice

Dated: January 4, 2022