

om

Sanders Viener Grossman, LLP  
Marc D. Grossman, Esq. # 042551993  
50 Main Street  
Hackensack, NJ 07601  
Mailing Address:  
100 Garden City Plaza, Suite 500  
Garden City, NY 11530  
Attorneys for Plaintiff

**FILED**  
**MAY 30 2018**

Judge James F. Hyland

-----  
ROBERT EAVES, Personal Representative of  
the Estate of LILLIAN ROPER,  
  
-Plaintiff-  
  
v.  
  
MERCK SHARP & DOHME CORP.  
  
-Defendant-  
-----

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – MIDDLESEX COUNTY  
:  
: DOCKET NO. MID-L-9035-14  
:  
: FOSAMAX LITIGATION  
: CIVIL ACTION  
: CASE NO 282  
:  
: **STIPULATION OF DISMISSAL**  
: **WITHOUT PREJUDICE**

Pursuant to R. 4:37-1(a), the undersigned counsel hereby stipulates that Plaintiff's Complaint and all claims of Plaintiff Robert Eaves, Personal Representative of the Estate of Lillian Roper, against Defendant Merck Sharp & Dohme Corp. be dismissed in their entirety *without* prejudice.

Dated this 4 day of May, 2018.

**SANDERS VIENER GROSSMAN, LLP**  
*Attorneys for Plaintiff*

By: \_\_\_\_\_  
Marc Grossman, Esq.  
Sanders Viener Grossman, LLP  
100 Garden City Plaza, Suite 500  
Garden City, NY 11530  
Phone: (516) 741-5600  
Fax: (516)741-0128  
Email: [mgrossman@thesandersfirm.com](mailto:mgrossman@thesandersfirm.com)

**FOX ROTHSCHILD LLP**  
*Attorneys for Defendant*  
*Merck Sharp & Dohme Corp.*

By: \_\_\_\_\_  
Eileen Oakes Muskett, Esq.  
Fox Rothschild  
1301 Atlantic Avenue  
Atlantic City, NJ 08401-7212  
Phone: (609) 348-4515  
Fax: (609) 348-4516  
Email: [emussett@foxrothschild.com](mailto:emussett@foxrothschild.com)

SO ORDERED:

A COPY OF THIS ORDER SHALL BE  
POSTED ONLINE BY THE COURT

\_\_\_\_\_  
Judge James F. Hyland