

FLASTER/GREENBERG P.C.

Jeffrey A. Cohen, Esquire
Commerce Center
1810 Chapel Avenue West
Cherry Hill, NJ 08002-4609
Phone: (856) 661-1900

FILED

October 10, 2023

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

*Attorneys for Defendants Sun Pharma Global, Inc. and
Sun Pharmaceutical Industries Inc.*

	:	
	:	SUPERIOR COURT OF NEW JERSEY
MARIAN JONES,	:	LAW DIVISION: MIDDLESEX COUNTY
	:	
Plaintiff,	:	DOCKET NO. MID-L-000498-16
	:	
v.	:	MCL CASE NO. 282
	:	
MERCK SHARP & DOHME CORP., et	:	CIVIL ACTION
al.	:	<u>ORDER DISMISSING COMPLAINT</u>
	:	<u>WITHOUT PREJUDICE</u>
Defendants.	:	
	:	

THIS MATTER, having been brought before the Court upon motion by Flaster/Greenberg P.C., attorneys for Defendants Sun Pharma Global, Inc. and Sun Pharmaceutical Industries Inc. (“Sun”), for an Order to Dismiss the Plaintiff’s complaint with prejudice pursuant to R. 4:23-5(a)(2), for failure to effectuate the probate process to appoint a formal estate representative having considered the papers submitted in this matter, and for the reasons set forth herein, and for good cause having been shown;

IT IS on this 10th day of October, 2023,

ORDERED that Defendants Sun Pharma Global, Inc. and Sun Pharmaceutical Industries Inc.’s Motion to Dismiss with prejudice **is hereby GRANTED in part and DENIED in part;** and it is further

ORDERED that Plaintiff Marian Jones' Complaint is hereby **DISMISSED WITHOUT PREJUDICE** as to Defendants Sun Pharma Global, Inc. and Sun Pharmaceutical Industries Inc.; 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 date of this Order.

151 Bruce J. Kaplan
HONORABLE BRUCE J. KAPLAN, J.S.C.

UNOPPOSED

This matter having been brought by Flaster/Greenberg P.C., attorneys for Defendants Sun Pharma Global, Inc. and Sun Pharmaceutical Industries Inc. ("Sun"), for an Order to Dismiss the Plaintiff's complaint with prejudice pursuant to R. 4:23-5(a)(2), for failure to effectuate the probate process to appoint a formal estate representative. The Court has read and reviewed the papers submitted and notes that Plaintiff has not filed an opposition. While Defendant moves for a dismissal with prejudice, there has been no prior motion for dismissal without prejudice. Therefore, the Defendant's motion is improper and is hereby denied in part. However, the Defendant's motion to dismiss will be granted without prejudice pursuant to R. 1:6-2, at to Defendant Sun, essentially for the reasons set forth in the moving papers.