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FILED

August 5, 2025

HON. BRUCE J. KAPLAN, P.J.Cv.

*Attorneys for Plaintiff*

AURELIA CACATIAN,  Plaintiff,  v.  MERCK SHARP & DOHME CORP,  Defendant.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY  CASE NO. MID-L-6930-14  <b>ORDER DENYING MOTION FOR SUBSTITUTION OF PARTIES</b>
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This matter comes before the Court on Aurelia Cacatian's Motion for Substitution of Plaintiff. The Court, having reviewed the motion and supporting documentation, and being otherwise fully advised in the premises, finds that the motion is well-taken and should be granted.

**IT IS** on this 5th day of August 2025,

**ORDERED** that Plaintiff's Motion for Substitution of Plaintiff is hereby DENIED; and it is further

**ORDERED** that service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. 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.

UNOPPOSED

/s/ Bruce J. Kaplan  
Honorable Bruce J. Kaplan P.J.Cv.

**STATEMENT OF REASONS:**

This matter comes before the Court by way of Plaintiff's Motion for leave to amend the Complaint to substitute Plaintiff. There was no opposition.

The Court will be denying Plaintiff's Motion. In so doing, the Court emphasizes that, consistent with established requirements in the Fosamax litigation, Plaintiffs are obligated to provide letters of testamentary to the Court, demonstrating the proposed Plaintiff's legal capacity to assert the decedent's rights and proceed with the instant action.

Moreover, the Court issued a clerk notice on July 24, 2025, notifying Plaintiff that the Motion was adjourned and in the time before the subsequent return date, they were to provide the Court with letters of testamentary. Accordingly, the Motion is denied.