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FILED

September 15, 2025

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

ESTATE OF ROSEMARY LATHAM,

Plaintiffs,

v.

MERCK SHARP & DOHME CORP.

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX COUNTY

MCL NO.: 282

MASTER DOCKET NO. MID-L-008062-14

**ORDER TO REINSTATE**

**THIS MATTER** comes before the Court by way of Motion filed by Plaintiff's attorneys, Marc J. Bern & Partners LLP, seeking an Order to Reinstate the Complaint, and the Court having read and considered the moving papers, and for good cause having been shown;

**IT IS** on this 15<sup>th</sup> day of September, 2025

**ORDERED** that Plaintiff's Motion to Reinstate the Complaint is hereby **GRANTED**; 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 entry of the Order.

UNOPPOSED

*/s/ Bruce J. Kaplan*

Honorable Bruce J. Kaplan P.J.Cv.

This matter comes before the Court by way of Plaintiff's Motion to Reinstate the Complaint to the active trial calendar. The Court notes that no opposition was filed. By way of June 2, 2025 Order, this Court ordered that all cases listed in Exhibit A of same order were dismissed without prejudice. The order further stated that if Plaintiffs failed to provide certifications in accordance with the February 10, 2025 and April 22, 2025 Case Management Orders, and did not move to reinstate pursuant to R. 4:34-1 to substitute an authorized Personal Representative for the Estate of a deceased Plaintiff identified on Exhibit A, within 60 days of the June 2, 2025, Order, counsel for Defendants may file a motion to dismiss those cases with prejudice. More than 90-days from this Court's June 2, 2025, Order, Defendants have not moved to dismiss this case with prejudice. Plaintiff now moves to reinstate the Complaint and represents the required certifications were provided to Defendant on August 1, 2025.

After reviewing this matter, the Court will be granting this motion as Plaintiff has provided certifications in accordance with the February 10, 2025 and April 22, 2025 Case Management Orders. Plaintiff's counsel represents she provided Defendant with a Representative Certification and certifies that the representative has demonstrated authority and a willingness to be substituted to serve on behalf of the estate. Accordingly, Plaintiff's Motion to Reinstate is GRANTED.