

Brendan A. McDonough (NJ Attorney ID# 213712016)
WEITZ & LUXENBERG
A New York Professional Corporation
220 Lake Drive East, Suite 210
Cherry Hill, NJ 08002
(856) 755-1115
Attorneys for Plaintiff

FILED

April 28, 2025

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

PATRICIA K. SMITH,

Plaintiff,

v.

MERCK SHARP & DOHME CORP.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

FOSAMAX LITIGATION Case No. 282
DOCKET NO.: MID-L-6706-14

**ORDER GRANTING MOTION FOR
SUBSTITUTION OF PARTIES**

THIS MATTER having come before the Court upon application by Brendan A. McDonough, Esq., attorney for Plaintiff, seeking an order granting the Motion for Substitution of parties to substitute Steven Smith as Personal Representative of the Estate of Patricia K. Smith, deceased, and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

IT IS on this 28th day of April 2025,

ORDERED that Plaintiff's Motion to Substitute parties to name Steven Smith as Personal Representative of the Estate of Patricia K. Smith, deceased, as Plaintiff, **is hereby GRANTED**; and it is further

ORDERED that Plaintiff shall file and serve the Amended Complaint within ten (10) days of this Order; 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, J.S.C.

Having reviewed the within motion, this Court finds it meritorious on its face and is unopposed. This Court is granting leave to amend the Complaint in accord with R. 4:9-1. Moreover, the Court is granting substitution of Plaintiff as permitted under R. 4:34-1. Pursuant to R. 1:6-2, this Motion will be granted essentially for the reasons set forth in the moving papers.