

**LOPEZ MCHUGH, LLP**  
JAMES J. MCHUGH, JR.  
MICHAEL S. KATZ  
214 Flynn Avenue  
Moorestown, New Jersey 08057  
Telephone: (856) 273-8500  
Facsimile: (856) 273-8502  
mkatz@lopezmchugh.com

FILED

July 3, 2025

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

*Attorneys for Plaintiff*

ESTATE OF QUREE P. CARTER,

Plaintiff,

vs.

MERCK & CO, INC., et al

Defendants.

SUPERIOR COURT OF NEW JERSEY  
ATLANTIC COUNTY – LAW DIVISION

DOCKET NO.: MID-L-7065-14  
Civil Action

FOSAMAX LITIGATION  
CASE CODE: 282

**ORDER TO REINSTATE**

**THIS MATTER** comes before the Court by way of Motion filed by Michael A. Katz, esq. of Lopez McHugh LLP, attorney for Plaintiff, seeking an Order reinstating the Complaint to the active trial calendar, and the Court having read and considered the papers submitted in this matter, and for good cause having been shown;

**IT IS** on this 3<sup>rd</sup> day of July 2025,

**ORDERED** that Plaintiff's Motion to Reinstate the Complaint to the active trial calendar is hereby **GRANTED** and Plaintiff's claims are hereby **REINSTATED** against Defendant Merck, Sharp & Dohme Corp. f/k/a Merck & Co, 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 entry of the Order.

UNOPPOSED

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

Having reviewed the within motion, this Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.

This matters 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 Case Management Order on September 19, 2024, this Court Ordered that all cases listed in Exhibit A of July 16, 2024, Case Management Order were dismissed without prejudice. Same further stated that if Plaintiffs did not move to reinstate and move 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 September 19, 2024, Order, counsel for Defendants may file a motion to dismiss those cases with prejudice. Although outside of 90-days from this Court September 19, 2024, Case Management Order, Defendants did not move to dismiss this case with prejudice. Moreover, Plaintiff has remedied the reason for dismissal and moved in a concurrent filing to substitute an authorized personal representative for the Estate. Accordingly, Motion granted.