

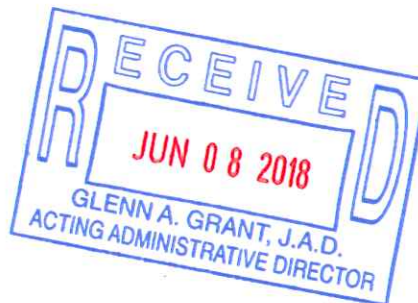
Civil



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June 7, 2018

VIA OVERNIGHT DELIVERY

Honorable Glenn A. Grant  
Acting Administrative Director of the Courts  
Attention: MCL Comments – Zostavax Vaccine  
Hughes Justice Complex, P.O. Box 037  
Trenton, New Jersey 08625-0037

Re: Response of Merck & Co., Inc. and Merck Sharp & Dohme Corp.  
to Applications for Multicounty Litigation Designation of ZOSTAVAX®  
Litigation

Dear Judge Grant:

On behalf of Merck & Co., Inc. and Merck Sharp & Dohme Corp. (collectively, “Merck”), I write in response to the Court’s May 9, 2018 Notice to the Bar concerning two pending applications for Multicounty Litigation (“MCL”) designation of New Jersey state-court litigation involving personal injuries attributed to Zostavax, Merck’s FDA-approved vaccine to help protect against herpes zoster (shingles).

Under the particular circumstances of this litigation, Merck does not oppose the establishment of an MCL for lawsuits alleging personal injury damages purportedly resulting from Zostavax. Merck also does not oppose the request of Marc J. Bern & Partners LLP that the Court assign any MCL established for this litigation to the Honorable Judge James F. Hyland of the Superior Court of New Jersey for Middlesex County.

Very truly yours,

Eileen Oakes Muskett

Cc: Marc J. Bern & Partners LLP  
Law Offices of Sadaka Associates

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