

#103

**FILED**

FEB 20 2009

Judge Jamie D. Happa

**SHELLER, P.C.**  
*A Pennsylvania Professional Corporation*  
Brian J. McCormick, Jr.  
1528 Walnut Street, Floor 3  
Philadelphia, Pa 19102  
(215) 790-7300

Attorneys for Plaintiff

EMMA BRAGG,	:	
Plaintiff,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
v.	:	
	:	DOCKET NO. MID-L-9102-06-MT
	:	
JOHNSON & JOHNSON COMPANY,	:	IN RE: Risperdal/Seroquel/Zyprexa Litigation
et al.,	:	Case No. 274
	:	
Defendants.	:	
	:	CIVIL ACTION
	:	
	:	<b>ORDER TO VACATE DISMISSAL AND TO</b>
	:	<b>REINSTATE COMPLAINT</b>
	:	

**THIS MATTER** having been brought before the Court by Sheller, P.C., counsel for Plaintiff Roy Bragg, individually and as Executor of the Estate of Emma Bragg, deceased, on a Motion pursuant to R. 4:23-5 for an Order vacating a prior Order of Dismissal Without Prejudice, reinstating the action and Demand for Jury Trial; and the Court having read the moving papers and the opposition, if any, thereto; and having considered the arguments of counsel; and for good cause shown;

IT IS on this 20<sup>th</sup> day of February, 2009

**ORDERED** that the Order of October 31, 2008, dismissing Plaintiff's Complaint without prejudice be and hereby is VACATED, and the Complaint in the above-captioned action be and hereby is reinstated; and it is further

**ORDERED** that counsel for Plaintiff shall serve a copy of this Order on counsel for

Defendant(s) within 7 days of the date of this Order.

*Jamie D. Happas*

HON. JAMIE D. HAPPAS, J.S.C.

Motion          Opposed  
  x   Unopposed

Having reviewed the above motion, I find 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.