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4/30/10

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APR 30 2010  
JUDGE JESSICA R. MAYER

*Attorneys for Defendants  
AstraZeneca Pharmaceuticals LP,  
AstraZeneca LP, Zeneca, Inc., Astra  
USA Inc. and KBI Sub Inc.*

SHIRLEY D. SMITH,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: MIDDLESEX COUNTY
v.	:	DOCKET NO. MID-L- <sup>738</sup> <del>1881</del> -07
ASTRAZENECA PHARMACEUTICALS LP; ASTRAZENECA LP; ASTRA USA INC.; KBI SUB INC.; ZENECA, INC.; ASTRA USA HOLDINGS CORPORATION; JOHN DOES NOS. 1 THROUGH 20, JANE DOES NOS. 1 THROUGH 20,	:	CIVIL ACTION
Defendants.	:	In Re Risperdal/Seroquel/Zyprexa Litigation Case No. 274
	:	<b>ORDER OF DISMISSAL OF PLAINTIFF'S COMPLAINT WITH PREJUDICE FOR FAILURE TO SERVE A COMPLETED LONG FORM PLAINTIFF FACT SHEET PURSUANT TO CASE MANAGEMENT ORDER NOS. 4, 4A, AND 16.</b>

**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca, Inc., Astra USA Inc. and KBI Sub Inc. (collectively "AstraZeneca") to dismiss the Plaintiff's Complaint With Prejudice for Failure to Serve a Completed Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), Case Management Order No. 4A ("CMO 4A"), Case Management Order No. 16 ("CMO 16"); and such dismissal with prejudice being authorized by R. 4:23-5(a)(2); the Court having considered the papers submitted, and for good cause shown;

IT IS on this 30<sup>th</sup> day of April, 2010;

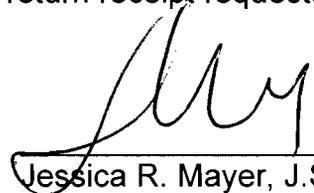
ORDERED that AstraZeneca's motion be and hereby is **GRANTED**.

AND IT IS FURTHER ORDERED that the Plaintiff's Complaint be and hereby is **DISMISSED WITH PREJUDICE** as to all parties - whether served or unserved;

AND IT IS FURTHER ORDERED that a signed copy of this Order be posted for all counsel within seven (7) days of the date hereof;

AND IT IS FURTHER ORDERED that upon being served with the within Order of Dismissal With Prejudice, Plaintiff's counsel shall forthwith serve a copy of this order upon the Plaintiff by regular and certified mail, return receipt requested.

**OPPOSED**

  
\_\_\_\_\_  
Jessica R. Mayer, J.S.C.

\_\_\_\_\_ Unopposed

\_\_\_\_\_ Opposed - Plaintiff's counsel having complied with the requirements of R. 4:23-5(a).

Dated:

On this date, pursuant to R. 1:6-2  
The court's statement of reasons  
have been set forth on the record.