

# 74-1  
6/16/10

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*Attorneys for Defendants  
AstraZeneca Pharmaceuticals LP and  
AstraZeneca LP*

**FILED**

APR 16 2010

JUDGE JESSICA R. MAYER

SHERYL APPEL,  Plaintiff,  v.  JOHNSON & JOHNSON COMPANY; JANSSEN PHARMACEUTICA PRODUCTS, L.P. A/K/A JANSSEN, L.P., A/K/A JANSSEN PHARMACEUTICA, L.P., A/K/A JANSSEN PHARMACEUTICA, INC.; ASTRAZENECA PHARMACEUTICALS LP; ASTRAZENECA LP; ELI LILLY AND COMPANY; JOHN DOE NOS. 1 through 30; and JANE DOE NOS. 1 through 30,  Defendants.	: SUPERIOR COURT OF NEW JERSEY : LAW DIVISION: MIDDLESEX COUNTY  : DOCKET NO. MID-L-9116-06  : CIVIL ACTION  : In Re Risperdal/Seroquel/Zyprexa Litigation : Case No. 274  : <b>ORDER OF DISMISSAL OF PLAINTIFF'S</b> : <b>COMPLAINT WITHOUT PREJUDICE FOR</b> : <b>FAILURE TO SERVE A COMPLETED</b> : <b>LONG FORM PLAINTIFF FACT SHEET</b> : <b>PURSUANT TO CASE MANAGEMENT</b> : <b>ORDER NOS. 4, 4A, 22, AND 29.</b>
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**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP and AstraZeneca LP (collectively "AstraZeneca") to dismiss the Plaintiff's Complaint without 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"), and Case Management Order No. 22 ("CMO 22"), and such dismissal without prejudice being authorized by Case Management Order No. 29 ("CMO 29"); the Court having considered the papers submitted, and for good cause shown;


IT IS on this 16<sup>th</sup> day of April, 2010;

**ORDERED** that Defendants' motion be and hereby is **GRANTED**.

**AND IT IS FURTHER ORDERED** that the Plaintiff's Complaint be and hereby is **DISMISSED WITHOUT PREJUDICE** as to AstraZeneca Pharmaceuticals LP and AstraZeneca LP, 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 Without Prejudice, Plaintiff's counsel shall forthwith serve a copy of this Order on the Plaintiff by regular and certified mail, return receipt requested, accompanied by a notice in the form prescribed by Appendix II-A of the New Jersey Rules of Court, specifically explaining the consequences of failure to serve a Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

  
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Jessica R. Mayer, J.S.C.

✓ Unopposed  
\_\_\_\_\_ Opposed

"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."

Dated: 4/16/2010

ORDERED that counsel for the party shall serve upon his or her client in accordance with R. 4:23-5(a)(1) a copy of this Order and the notice set forth in Appendix II-F of the Court Rules

**UNOPPOSED**