

865
12/18/09
TC

McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
P.O. Box 652
Newark, New Jersey 07101-0652
(973) 622-4444

Attorneys for Defendants

*Astrazeneca Pharmaceuticals LP,
Astrazeneca LP, Astra USA Inc., Zeneca
Inc., and KBI Sub Inc.*

FILED
DEC 18 2009
JUDGE JESSICA R. MAYER

VICTORIA ATKINS,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS
LP; ASTRAZENECA LP; ASTRA USA,
INC.; KBI SUB, INC.; ZENECA, INC.;
ASTRA USA HOLDINGS
CORPORATION; ASTRAZENECA, AB;
ASTRAZENECA, PLC; and
ASTRAZENECA, UK LIMITED; JOHN
DOE(S) 1 through 20; and JANE DOE(S)
1 through 20,

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: MIDDLESEX COUNTY

: DOCKET NO. MID-L-4325-09

: CIVIL ACTION

: In Re Risperdal/Seroquel/Zyprexa Litigation
: Case No. 274

: **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, AND THE
: SEPTEMBER 25, 2009 ORDER OF THE
: COURT.**

THIS MATTER having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Inc., KBI Sub Inc., and Astra USA, 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"), and Case Management Order No. 16 ("CMO

16"), and such dismissal with prejudice being authorized by the Court; the Court having considered the papers submitted, and for good cause shown;

IT IS on this 18th day of December, 2009;

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 - served and 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.



Jessica R. Mayer, J.S.C.

Unopposed
 Opposed

- Plaintiff's counsel hereby complied with the requirements of R. 4:23-5(a)(2).

Dated: December 4, 2009

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

OPPOSED