

PEPPER HAMILTON LLP

Nicholas M. Kouletsis

Suite 400

301 Carnegie Center

Princeton, NJ 08543

(609) 452-0808

Attorneys for Defendant Eli Lilly and Company

FILED

NOV 04 2011

JUDGE JESSICA R. MAYER

JOHNNY AUSTEN (a/k/a JOHNNY
JAMES AUSTIN, JR.),

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; and JOHN DOE NOS. 1
THROUGH 30 and JANE DOES NOS. 1
THROUGH 30,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO.: MID-L-9109-06 MT

CIVIL ACTION

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

**ORDER OF DISMISSAL OF PLAINTIFF'S
COMPLAINT WITHOUT PREJUDICE FOR
FAILURE TO SERVE A COMPLETED
LONG FORM PLAINTIFF FACT SHEET
PURSUANT TO CASE MANAGEMENT
ORDER NOS. 4, 4A, 47 AND 51**

THIS MATTER having been brought before the Court by Drinker Biddle, LLP, attorneys for Defendants 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. (collectively "Janssen") and joined by Pepper Hamilton LLP, attorneys for Defendant Eli Lilly and Company ("Lilly"), to dismiss the Plaintiff's Complaint without prejudice for failure to serve a Completed Long Form Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), Case Management Order No. 4A ("CMO 4A"), Case Management Order No. 47 ("CMO 47"),

and Case Management Order No. 51 ("CMO 51") and the Court having considered the papers submitted, and for good cause shown;

IT IS on this 4th day of November, 2011;

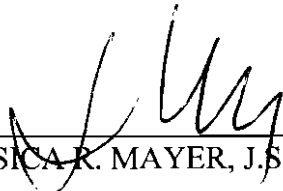
ORDERED that Defendants' motion be and hereby is GRANTED.

AND IT IS FURTHER ORDERED that the Plaintiff's Complaint be and hereby is **DISMISSED WITHOUT PREJUDICE** as to all Jansssen Defendants and Lilly -- 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 upon 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 Acknowledgment) and to file and serve a timely motion to restore.

UNOPPOSED



JESSICA R. MAYER, J.S.C.

Unopposed

Opposed

Dated:

"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."