

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 and  
Astrazeneca LP*

**FILED**  
NOV 06 2009  
JUDGE JESSICA R. MAYER

ESTATE OF EMMA BRAGG BY ITS  
EXECUTOR ROY BRAGG,

Plaintiff,

v.

JOHNSON & JOHNSON COMPANY;  
JANSSEN PHARMACEUTICA  
PRODUCTS, L.P. A/K/A JANSSEN, L.P.,  
A/K/A JANSSEN PHARMACEUTICA,  
L.P.I, 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-9102-06

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 MATERIALLY  
COMPLETED LONG FORM PLAINTIFF  
FACT SHEET PURSUANT TO CASE  
MANAGEMENT ORDER NOS. 4, 4A, 16,  
AND 22.**

**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 materially 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 without prejudice

being authorized by Case Management Order No. 22 ("CMO 22"); the Court having considered the papers submitted, and for good cause shown;

IT IS on this 6<sup>th</sup> day of November, 2009;

ORDERED that AstraZeneca's motion is hereby GRANTED and that the Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE as to all parties - served and unserved - pursuant to CMO 4, § II.G, CMO 4A, § II.H.1 (a-c), CMO 16, and CMO 22; 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-B of the New Jersey Rules of Court, specifically explaining the consequences of failure to serve a materially Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

**UNOPPOSED**

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

  X   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: November 6, 2009

ORDERED that counsel for the delinquent 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-A of the Court Rules