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4-16-10

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, Zeneca, Inc., Astra
USA Inc. and KBI Sub Inc.*

FILED

APR 16 2010

JUDGE JESSICA R. MAYER

DIANE GILBERT, on behalf of the Estate
of TIMOTHY CAUDEL, and DIANE
GILBERT INDIVIDUALLY,

Plaintiffs,

v.

ASTRAZENECA PHARMACEUTICALS
LP; ASTRAZENECA LP; KBI SUB, INC.;
ZENECA, INC.; ASTRA USA, INC.,
ASTRA USA HOLDINGS
CORPORATION, ASTRAZENECA, AB;
ASTRAZENECA, PLC; AND
ASTRAZENECA, UK LIMITED,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-10604-09

CIVIL ACTION

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

**ORDER OF DISMISSAL OF PLAINTIFFS'
COMPLAINT WITHOUT PREJUDICE FOR
FAILURE TO SERVE A COMPLETED
LONG FORM PLAINTIFF FACT SHEET
PURSUANT TO CASE MANAGEMENT
ORDER NOS. 4, 4A, 16, AND 29.**

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 Plaintiffs' 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. 16 ("CMO 16"), 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;

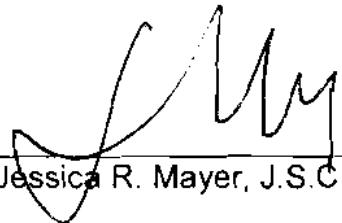
IT IS on this 16th day of April, 2010;

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

AND IT IS FURTHER ORDERED that the Plaintiffs' Complaint be and hereby is **DISMISSED WITHOUT PREJUDICE** as 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 Without Prejudice, Plaintiffs' counsel shall forthwith serve a copy of this Order on the Plaintiffs 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.



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: 4/14/2010

UNOPPOSED

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