

TC
#1745

FILED

JUL 17 2009

Judge Jamie D. Happas

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.*

ROSALEE COLEMAN,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: MIDDLESEX COUNTY
v.	:	DOCKET NO. MID-L-1318-07
ASTRAZENECA PHARMACEUTICALS LP; ASTRAZENECA LP; ASTRA USA, INC.; KBI SUB, INC.; ZENECA, INC.;	:	CIVIL ACTION
ASTRA USA HOLDINGS CORPORATION; ASTRAZENECA, AB; ASTRAZENECA, PLC; and	:	In Re Risperdal/Seroquel/Zyprexa Litigation
ASTRAZENECA, UK LIMITED; JOHN DOE(S) 1 through 20; and JANE DOE(S) 1 through 20,	:	Case No. 274
Defendants.	:	ORDER OF DISMISSAL OF PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE FOR FAILURE TO SERVE A LONG FORM PLAINTIFF FACT SHEET PURSUANT TO CASE MANAGEMENT ORDER NOS. 4, 4A, 13 and 17.

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 plaintiff's Complaint without prejudice for failure to serve a Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), Case Management Order No. 4A ("CMO 4A"), Case Management Order No. 13 ("CMO 13") and Case Management Order No. 17 ("CMO 17"), such dismissal without prejudice being

authorized by CMO 17, the Court having considered the papers submitted, and for good cause shown;

IT IS on this 17th day of July, 2009;

ORDERED that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties - served and unserved - pursuant to CMO 4, § II.G, and CMO 4A, § II.H.1 (a-c); and it is further

ORDERED that a signed copy of this Order be served on 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-F 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.



Jamie D. Happas, J.S.C.

 X Unopposed
_____ Opposed

All parties are to be served within seven (7) days of the date hereof.

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.