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**WEITZ & LUXENBERG**

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**FILED**

**MAR 26 2008**

Judge Jamie D. Happas

**BAILEY PERRIN BAILEY**

*A Texas Limited Liability Partnership*  
440 Louisiana St., Suite 2100  
Houston, Texas 77002  
(713) 425-7100

Attorneys for Plaintiffs

DAVID DUFRENE,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS, LP  
ET AL

Defendants

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION  
: MIDDLESEX COUNTY  
:  
: DOCKET NO. MID-L-6856-06-MT  
:  
: Case Code No. 274  
:  
: **ORDER TO VACATE DISMISSAL**  
: **AND TO REINSTATE COMPLAINT**

**THIS MATTER** having been brought before the Court by Leslie LaMacchia, counsel for plaintiff, on a Motion pursuant to R. 4:23-5 for an Order vacating a prior Order of Dismissal Without Prejudice, reinstating the action and Demand for Jury Trial; and the Court having read the moving papers and the opposition, if any, thereto; and having considered the arguments of counsel; and for good cause shown;

IT IS on this 26<sup>th</sup> day of March, 2008

**ORDERED** that the Order of December 19, 2007 dismissing plaintiff's Complaint without prejudice be and hereby is VACATED, and the Complaint in the above-captioned action be and hereby is reinstated; and it is further

**ORDERED** that counsel for plaintiff shall serve a copy of this Order on counsel for defendant within 7 days of the date of this Order.

*Jamie D. Happas*

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HON. JAMIE D. HAPPAS, J.S.C.

Motion        Opposed  
  ✓   Unopposed

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.