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11-6-09

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

NOV 06 2009

JUDGE JESSICA R. MAYER

DAVID FISHER AND MARY FISHER,
H/W,

Plaintiffs,

v.

ASTRAZENECA PHARMACEUTICALS
LP; ASTRAZENECA LP; ASTRA USA,
INC.; KBI SUB, INC.; ZENECA, INC.;
ASTRA USA HOLDINGS
CORPORATION; ASTRAZENECA, AB;
ASTRAZENECA, PLC; and
ASTRAZENECA, UK LIMITED; JOHN
DOES NO(S) 1 THROUGH 20; and JANE
DOES NO(S) 1 THROUGH 20,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-755-07

CIVIL ACTION

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

**ORDER OF DISMISSAL OF PLAINTIFFS'
AMENDED COMPLAINT WITHOUT
PREJUDICE FOR FAILURE TO SERVE A
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, AstraZeneca LP, Zeneca, Inc., Astra USA Inc. and KBI Sub Inc. (collectively "AstraZeneca") to dismiss the Plaintiffs' Amended 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. 22 ("CMO 22"); the Court having considered the papers submitted, and for good cause shown;

IT IS on this 6th day of November, 2009;

ORDERED that AstraZeneca's motion is hereby **GRANTED** and that the Plaintiffs' Amended 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, 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-R 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."

UNOPPOSED

Dated:

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-F of the Court Rules