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

FILED
DEC 04 2009
JUDGE JESSICA R. MAYER

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| RUSSELL FOSTER, Plaintiff, 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 DOE(S) 1 through 20; and JANE DOE(S) 1 through 20, Defendants. | : SUPERIOR COURT OF NEW JERSEY : LAW DIVISION: MIDDLESEX COUNTY : : DOCKET NO. MID-L-1820-09 : : CIVIL ACTION : : In Re Risperdal/Seroquel/Zyprexa Litigation : Case No. 274 : : ORDER OF DISMISSAL OF PLAINTIFF'S : COMPLAINT WITH PREJUDICE FOR : FAILURE TO SERVE A COMPLETED : SHORT FORM PLAINTIFF FACT SHEET : PURSUANT TO CASE MANAGEMENT : ORDER NOS. 4, 4A, AND 19, AND THE : SEPTEMBER 11, 2009 ORDER OF THE : COURT. |
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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 the Plaintiff's Complaint with prejudice for failure to serve a Completed Short 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. 19 ("CMO

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19"), and such dismissal with prejudice being authorized by the Court; the Court having considered the papers submitted, and for good cause shown;

IT IS on this 4th day of December, 2009;

ORDERED that AstraZeneca's motion be and hereby is **GRANTED**.

AND IT IS FURTHER ORDERED that the Plaintiff's Complaint be and hereby is **DISMISSED WITH PREJUDICE** as to all parties - served and 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 with prejudice, Plaintiff's counsel shall forthwith serve a copy of this order upon the Plaintiff by regular and certified mail, return receipt requested.



Jessica R. Mayer, J.S.C.

Unopposed
 Opposed

Plaintiff's counsel having complied with the requirements of R. 4:23-5(a)(2).

Dated: December 4, 2009

On this date, pursuant to R. 1:6-2
The court's statement of reasons
have been set forth on the record.

UNOPPOSED