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AstraZeneca LP, and KBI Sub Inc.*

FILED
MAY 23 2010
JUDGE JESSICA R. MAYER

THOMAS S. FROMOSKY, JR.

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS
L.P.; KBI SUB INC.; ASTRAZENECA,
L.P.; and JOHN DOE Nos. 1 through 10
and JANE DOE Nos. 1 through 10,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-7823-09

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

**ORDER OF DISMISSAL OF PLAINTIFF'S
COMPLAINT WITH PREJUDICE FOR
FAILURE TO SERVE A MATERIALLY
COMPLETED LONG FORM PLAINTIFF
FACT SHEET PURSUANT TO CASE
MANAGEMENT ORDER NOS. 4, 4A, 16,
AND 28, AND THE MARCH 5, 2010
ORDER OF THE COURT.**

THIS MATTER having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP and KBI Sub Inc. (collectively "AstraZeneca"), to dismiss the Plaintiff's Complaint with Prejudice for failure to serve a Materially Completed 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. 16 ("CMO 16"), and Case Management Order No. 28 ("CMO 28"); and such dismissal with prejudice being authorized by R. 4:23-5(a)(2); the Court having considered the papers submitted *and the arguments of counsel* and for good cause shown;

IT IS on this 28th day of May, 2010;

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 - 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 with prejudice, Plaintiff's counsel shall forthwith serve a copy of this order upon the Plaintiff by regular and certified mail, return receipt requested.

UNOPPOSED



Jessica R. Mayer, J.S.C.

 X Unopposed - Plaintiff's counsel have complied with the requirements of R. 4:23-5(a).
 Opposed

Dated: May 28, 2010

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