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*Attorneys for Defendants  
Astrazeneca Pharmaceuticals LP,  
Astrazeneca LP and KBI Sub Inc.*

**FILED**  
MAR 05 2010  
JUDGE JESSICA R. MAYER

THOMAS S. FROMOSKY, JR.,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: MIDDLESEX COUNTY
v.	:	DOCKET NO. MID-L-7823-09
ASTRAZENECA PHARMACEUTICALS, L.P.; KBI SUB INC.; ASTRAZENECA, L.P. and JOHN DOE Nos. 1 through 10 and JANE DOE Nos. 1 though 10,	:	CIVIL ACTION
Defendants.	:	In Re Risperdal/Seroquel/Zyprexa Litigation Case No. 274
	:	<b>ORDER OF DISMISSAL OF PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE FOR FAILURE TO SERVE A MATERIALLY COMPLETED LONG FORM PLAINTIFF FACT SHEET PURSUANT TO CASE MANAGEMENT ORDER NOS. 4, 4A, 16, AND 28.</b>

**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 without 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 such dismissal without prejudice being authorized by Case Management Order No. 28 ("CMO 28"); and the Court having considered the papers submitted, and for good cause shown;

IT IS on this 5<sup>th</sup> day of March, 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 WITHOUT 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 Without Prejudice, Plaintiff's counsel shall forthwith serve a copy of this Order upon the Plaintiff by regular and certified mail, return receipt requested, accompanied by a notice in the form prescribed by Appendix II-A 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.

**UNOPPOSED**



\_\_\_\_\_  
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."*

Dated: March 5, 2010

**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-A of the Court Rules