COUGHLIN DUFFY LLP 350 Mount Kemble Avenue P.O. Box 1917 Morristown, New Jersey 07962-1917 (973) 267-0058 Attornevs for Defendants AstraZeneco

FILED

DEC 10 2007

Judge Jamie D. Happas

Attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc.

CONNIE HOWER and DAVID HOWER,

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY

Plaintiffs,

DOCKET NO. MID-L-597-07-MT

v.

**CIVIL ACTION** 

ASTRAZENECA PHARMACEUTICALS LP, et al.,

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

: Case No. 27

Defendants.

ORDER OF DISMISSAL WITH PREJUDICE

RETURN DATE: December 10, 2007

THIS MATTER having been brought before the Court by Coughlin Duffy LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc. (collectively "AstraZeneca") to dismiss plaintiffs' Amended Complaint with prejudice for failure to serve a Short Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), § II.E.; such dismissal with prejudice being authorized by CMO 4, § II.H; the Court having considered the papers submitted and having heard the arguments of counsel at the October 10, 2007, Case Management Conference; and the Court having granted plaintiffs sixty (60) additional days, or until December 10, 2007, to serve a Short Form Plaintiff Fact Sheet; and plaintiffs having failed to serve a Short Form Plaintiff Fact Sheet on or before December 10, 2007, and for good cause shown;

IT IS on this Of day of December, 2007;

ORDERED that AstraZeneca's motion is hereby GRANTED and that plaintiffs'
Amended Complaint is DISMISSED WITH PREJUDICE pursuant to CMO 4, § II.H.; and it is further

**ORDERED** that a signed copy of this Order be served on all counsel within seven (7) days of the date hereof.

Jamie D. Happas, 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.