

#761  
1-22-10

**FILED**  
JAN 22 2010  
JUDGE JESSICA R. MAIER

**WEITZ & LUXENBERG**  
*A New York Professional Corporation*  
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Cherry Hill, New Jersey 08002  
Telephone: (856) 755-1115  
Attorneys for Plaintiffs

JENNIFER S. KIRKLAND AS PROPOSED  
ADMINISTRATOR OF THE ESTATE OF  
MELISSA H. KIRKLAND, DECEASED

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  
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-003777-09 MT  
:  
: SEROQUEL/RISPERDAL/ZYPREXA  
: Case Code No. 274

: **ORDER GRANTING LEAVE TO  
REINSTATE COMPLAINT AND  
TO AMEND COMPLAINT AND  
DEMAND FOR JURY TRIAL**

**THIS MATTER** having been brought before the Court by Franklin P. Solomon, counsel for plaintiffs, on a Motion pursuant to R. 4:23-5 for an Order vacating a prior Order of Dismissal Without Prejudice dated October 9, 2009 reinstating Plaintiff's Complaint and Demand for Jury Trial and further pursuant to R. 4:9-1 for an Order granting leave to amend plaintiffs' Complaint and Demand for Jury Trial; and the Court having read the moving papers and the ~~opposition, if any, thereto; and having considered the arguments of counsel; and for good cause shown;~~

IT IS on this 22<sup>nd</sup> day of January, 2010

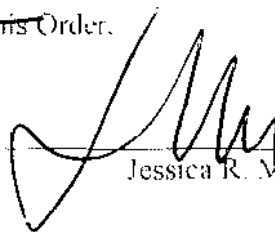
**ORDERED** that plaintiffs complaint and demand for jury trial be and is hereby reinstated and also are granted leave to file an Amended Complaint and Demand for Jury Trial in the form submitted to the Court on this Motion; and it is further

**ORDERED** that plaintiffs' Amended Complaint and Demand for Jury Trial be filed with the Clerk of the Superior Court, Law Division, Middlesex County, within 14 days of the date of this Order; and it is further

**ORDERED** that ~~counsel for plaintiffs shall~~ <sup>be posted</sup> serve a copy of this Order on ~~counsel for~~ defendant within 7 days of ~~the date of this Order.~~

Motion

Opposed  
 Unopposed



Jessica R. Mayer, J.S.C.

**UNOPPOSED**

"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."

PLEASE MAIL A COPY OF THIS DECISION  
TO ALL INTERESTED PARTIES WITHIN  
1 DAYS OF THE DATE HEREOF.