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**FILED**

JUL 17 2009

Judge Jamie D. Happs

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

DEANNA MAGUIRE,  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-3422-09 : : CIVIL ACTION : : In Re Risperdal/Seroquel/Zyprexa Litigation : Case No. 274 : : <b>ORDER OF DISMISSAL OF PLAINTIFF'S          : COMPLAINT WITHOUT PREJUDICE FOR          : FAILURE TO SERVE A SHORT FORM          : PLAINTIFF FACT SHEET PURSUANT TO          : CASE MANAGEMENT ORDER NOS. 4          : and 4A.</b>
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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 plaintiff's Complaint without prejudice for failure to serve a Short Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), § II.G; such dismissal without prejudice being authorized by Case Management Order No. 4A ("CMO 4A"), §

II.H.1. (a-c); the Court having considered the papers submitted, and for good cause shown;

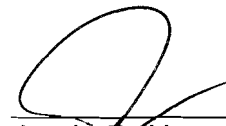
IT IS on this 17<sup>th</sup> day of July, 2009;

~~ORDERED that AstraZeneca's motion is hereby GRANTED and that plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE as to all parties - served and unserved - pursuant to CMO 4, § II.G, and CMO 4A, § II.H.1 (a-c); 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; 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 on the plaintiff by regular and certified mail, return receipt requested, accompanied by a notice in the form prescribed by Appendix II-F of the New Jersey Rules of Court, specifically explaining the consequences of failure to serve a materially Completed Short Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.~~

ordered that plaintiff be and hereby is compelled to produce defendant's requested discovery, specifically a materially completed short form plaintiff

  
\_\_\_\_\_  
Jamie D. Happas, J.S.C.

\_\_\_\_\_  
Unopposed  
 Opposed

fact sheet within 60 days of this order; and it is further ordered that plaintiff's complaint be dismissed without prejudice if, upon motion of defendant, it is found that plaintiff has not produced the requested discovery.

Dated: