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

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NANCY SMITH and KEITH SMITH,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
	:	
Plaintiffs,	:	DOCKET NO. MID-L-518-07-MT
	:	
v.	:	CIVIL ACTION
	:	
ASTRAZENECA PHARMACEUTICALS LP, et al.,	:	In Re Risperdal/Seroquel/Zyprexa Litigation
	:	Case No. 274
	:	
Defendants.	:	<b>ORDER OF DISMISSAL WITH PREJUDICE</b>
	:	
	:	<b>RETURN DATE: <u>January 4, 2008</u></b>
	:	

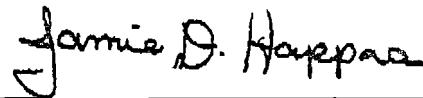
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**THIS MATTER** having been brought before the Court by Coughlin Duffy LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc. (collectively "AstraZeneca") to dismiss plaintiffs' 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; the Court having granted plaintiffs eighty-five (85) additional days, or until January 4, 2008, to serve a Short Form Plaintiff Fact Sheet; and plaintiffs having failed to serve a Short Form Plaintiff Fact Sheet by January 4, 2008; and for good cause shown;

IT IS on this 7<sup>th</sup> day of January, 2008;

**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.



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Jamie D. Happas, J.S.C.

Unopposed  
 Opposed

**FILED**

**JAN 07 2008**

Judge Jamie D. Happas

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.