

# 798  
6/11/10

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*Attorneys for Defendants  
AstraZeneca Pharmaceuticals LP and  
AstraZeneca LP*

**FILED**

JUN 11 2010

JUDGE JESSICA R. MAYER

MARCIA NEELY,

Plaintiff,

v.

JOHNSON & JOHNSON COMPANY;  
JANSSEN PHARMACEUTICA  
PRODUCTS, L.P. A/K/A JANSSEN, L.P.,  
A/K/A JANSSEN PHARMACEUTICA,  
L.P., A/K/A JANSSEN  
PHARMACEUTICA, INC.;  
ASTRAZENECA PHARMACEUTICALS  
LP; ASTRAZENECA LP; JOHN DOE  
NOS. 1 THROUGH 20; and JANE DOE  
NOS. 1 THROUGH 20,

Defendants.

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY

: DOCKET NO. MID-L-638-06

: CIVIL ACTION

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

: **ORDER OF DISMISSAL OF PLAINTIFF'S  
: COMPLAINT WITHOUT PREJUDICE FOR  
: FAILURE TO SERVE A COMPLETED  
: LONG FORM PLAINTIFF FACT SHEET  
: PURSUANT TO CASE MANAGEMENT  
: ORDER NOS. 4, 4A, 22 AND 31.**

**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP and AstraZeneca LP (collectively "AstraZeneca") to dismiss the Plaintiff's Complaint without prejudice for failure to serve a 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. 22 ("CMO 22"), and Case Management Order No. 31 ("CMO 31"); and the Court having considered the papers submitted, and for good cause shown;

IT IS on this 11<sup>th</sup> day of June, 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 AstraZeneca Pharmaceuticals LP and AstraZeneca LP - 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.

"After reviewing 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."

  
\_\_\_\_\_  
Jessica R. Mayer, J.S.C.

Unopposed  
 Opposed

Dated: June 11, 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

**UNOPPOSED**

All parties are to be served within seven (7) days of the date hereof.