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Attorneys for Defendants
Janssen, L.P., Janssen Pharmaceutica Inc.,
and Johnson & Johnson

IN RE: RISPERDAL/SEROQUEL/
ZYPREXA LITIGATION

Alex Schmittle,

Plaintiff,

v.

Johnson & Johnson, et al.,

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION : MIDDLESEX COUNTY
: DOCKET NO. MID-L-1624-06MT
:
: In Re Risperdal/Seroquel/Zyprexa Litigation
: Case NO. 274

: CIVIL ACTION

: **ORDER**

: **RETURN DATE: February 8, 2008**
:
:

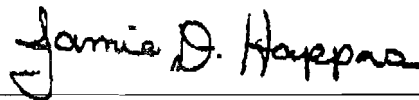
THIS MATTER having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Janssen, L.P., Janssen Pharmaceutica Inc., and Johnson & Johnson (collectively "Janssen") to dismiss Plaintiff's Complaint for failure to timely serve the Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), §§ III.D. and III.F.; the Court having considered the papers submitted; having heard the arguments of counsel; and for good cause shown;

IT IS on this 8 day of Feb., 2008;

ORDERED that Plaintiff's Complaint is **DISMISSED** without prejudice; and it is further

ORDERED that, in the event that Plaintiff fails to vacate this Order on or before May 8, 2008, Janssen may move on notice to Plaintiff for an Order of Dismissal with prejudice pursuant to the procedure set forth in R. 4:23-5(a)(2); 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

FILED

FEB 08 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.