

# 1382  
1-8-10

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**FILED**  
JAN 08 2010  
JUDGE JESSICA R. MAYER

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

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JEAN PAUL,  
  
Plaintiff,  
  
v.  
  
ASTRAZENECA PHARMACEUTICALS  
LP; ASTRAZENECA LP; ASTRA USA,  
INC.; KBI SUB, INC.; ZENECA, INC.;  
ASTRA USA HOLDINGS  
CORPORATION; JOHN DOES NO(S) 1  
THROUGH 20; and JANE DOES NO(S) 1  
THROUGH 20,  
  
Defendants.

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: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY  
:  
: DOCKET NO. MID-L-2086-07  
:  
: 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, 16, AND 26.**

**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca, Inc., Astra USA Inc. and KBI Sub Inc. (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"), and Case Management Order No. 16 ("CMO 16"), and such dismissal without prejudice being authorized by Case Management

Order No. 26 ("CMO 26"); the Court having considered the papers submitted, and for good cause shown;

IT IS on this 8<sup>th</sup> day of January, 2010;


ORDERED that Defendants' 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 ~~all parties served and unserved~~ AstraZeneca;

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 on 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.

PLEASE TAKE NOTICE OF THIS DECISION  
TO ALL PARTIES OF PARTIES TO THE  
CASE AND TO ALL PARTIES OF PARTIES OF

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

X Unopposed

\_\_\_\_\_  
Opposed

**UNOPPOSED**

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

Dated: January 8, 2010

"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."