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11-28-08

**FILED**

**DEC 05 2008**

**Judge Jamie D. Haggas**

**WEITZ & LUXENBERG**

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EDMOND L. EVANS,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS, LP  
ET AL

Defendants

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION  
: MIDDLESEX COUNTY  
:  
: DOCKET NO. MID L 2744-08 MT

: Case Code No. 274

: **ORDER TO VACATE DISMISSAL**  
: **AND TO REINSTATE**  
: **COMPLAINT**

**THIS MATTER** having been brought before the Court by Franklin P. Solomon, counsel for plaintiffs, on a Motion pursuant to R. 4:23-5 for an Order vacating a prior Order of Dismissal Without Prejudice, reinstating the action and Demand for Jury Trial; and the Court having read the moving papers and the opposition, if any, thereto; and having considered the arguments of counsel; and for good cause shown;

IT IS on this 5<sup>th</sup> day of December, 2008

**ORDERED** that the Order of September 5, 2008 dismissing plaintiff's Complaint without prejudice be and hereby is VACATED, and the Complaint in the above-captioned action be and hereby is reinstated; and it is further

**ORDERED** that counsel for plaintiffs shall serve a copy of this Order on counsel for defendant within 10 days of the date of this Order.

Motion  Opposed  
 Unopposed

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HON. JAMIE D. HAPPAS, J.S.C.

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.