| WEITZ & LUXENBERG | FILED |
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| A New York Professional Corporati 210 Lake Drive East, Suite 101 | on DEC 22 2 2008 |
| Cherry Hill, NJ 08002 Tel. (856) 755-1115 Attorneys for Plaintiffs | DEC 2.2 2009 Judge Jamie D. Happas |
| LAMINACK, PIRTLE & MART 5020 Montrose Blvd., 9 th Floor Houston, TX 77006 Tel #: (713)292-2750 | INES |
| THELMA J. JACKSON, | |
| Plaint | iff, : MIDDLESEX COUNTY |
| v. | : DOCKET NO. MID L 2766-08 MT |
| ASTRAZENECA PHARMACEUT ET AL | ICALS, LP : Case Code No. 274 |
| Defen | dants : 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 <u>22</u> day of <u>December</u> , 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 $\underline{|\mathcal{O}|}$ days of the date of this Order.

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

Motion _____Opposed _____Unopposed

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Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to <u>R.1:6-2</u>, it therefore will be granted essentially for the reasons set forth in the moving papers.