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*Attorneys for Defendants
Astrazeneca Pharmaceuticals LP,
Astrazeneca LP, Zeneca Inc. and
KBI Sub Inc.*

FILED

OCT 31 2008

Judge Jamie D. Haggas

RONALD LEJEUNE,

Plaintiff,

v.

ASTRAZENECA PHARMACEUTICALS
LP; ASTRAZENECA LP; ASTRA USA,
INC.; KBI SUB, INC.; ZENECA, INC.;
ASTRA USA HOLDINGS
CORPORATION; ASTRAZENECA, AB;
ASTRAZENECA, PLC; and
ASTRAZENECA, UK LIMITED; JOHN
DOE(S) 1 through 20; and JANE DOE(S)
1 through 20,

Defendants.

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

: DOCKET NO. MID-L-4982-08-MT

: 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 SHORT FORM
: PLAINTIFF FACT SHEET PURSUANT TO
: CASE MANAGEMENT ORDER NOS. 4
: and 4A.**

THIS MATTER having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Inc., KBI Sub Inc., and Astra USA, Inc. (collectively "AstraZeneca") to dismiss plaintiff's Complaint without prejudice for failure to serve a Short Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), § II.G; such dismissal without prejudice being authorized by Case Management Order No. 4A ("CMO 4A"), §

II.H.1. (a-c); the Court having considered the papers submitted, and for good cause shown;

IT IS on this 31st day of October, 2008;

ORDERED that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties - served and unserved - pursuant to CMO 4, § II.G, and CMO 4A, § II.H.1 (a-c); 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; 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-F of the New Jersey Rules of Court, specifically explaining the consequences of failure to serve a materially Completed Short Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.



Jamie D. Happs, J.S.C.

Unopposed

Opposed

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.

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-F of the Court Rules