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

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GREG MCCUSKER,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
	:	
Plaintiff,	:	DOCKET NO. MID-L-3254-07-MT
	:	
v.	:	CIVIL ACTION
	:	
ASTRAZENECA PHARMACEUTICALS LP, et al.,	:	In Re Risperdal/Seroquel/Zyprexa Litigation
	:	Case No. 274
	:	
Defendants.	:	<b>ORDER OF DISMISSAL WITHOUT PREJUDICE</b>
	:	
	:	<b>RETURN DATE: <u>MARCH 7, 2008</u></b>
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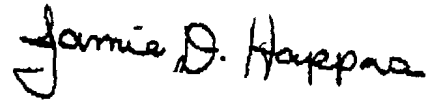
**THIS MATTER** having been brought before the Court by Coughlin Duffy LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc. (collectively "AstraZeneca") to dismiss plaintiff's Amended Complaint without prejudice for failure to serve 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.; the Court having considered the papers submitted, and for good cause shown;

IT IS on this 7<sup>th</sup> day of March, 2008;

**ORDERED** that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Amended Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties – served and unserved – pursuant to CMO 4, § II.G., and CMO 4A, § II.H.1.; 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.



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Jamie D. Happa, 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.*

**FILED**

**MAR 07 2008**

Judge Jamie D. Happa