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6/24/09

**FILED**

JUN 24 2009

Judge Jamie D. Happas

DRINKER BIDDLE & REATH LLP  
A Delaware Limited Liability Partnership  
500 Campus Drive  
Florham Park, New Jersey 07932-1047  
(973) 360-1100  
Attorneys for Defendants  
Johnson & Johnson and Ortho-McNeil-Janssen Pharmaceuticals, Inc.  
(f/k/a Janssen Pharmaceutica Inc.)

IN RE: RISPERDAL/SEROQUEL/  
ZYPREXA LITIGATION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY

CASE NO. 09-00027

CIVIL ACTION

THIS MOTION APPLIES TO:  
*Patrick Harvey v. Johnson & Johnson  
Company, et al.,*  
Docket No. MID-L-6719-06-MT

**DENIED** w/o prejudice

ORDER

Return Date: June <sup>24</sup> 24, 2009

**THIS MATTER** having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for defendants Johnson & Johnson and Ortho-McNeil-Janssen Pharmaceuticals, Inc. (f/k/a Janssen Pharmaceutica Inc.), on motion to dismiss the following Complaint based upon the doctrine of *forum non conveniens*: Patrick Harvey v. Johnson & Johnson Company, et al., Docket No. MID-L-6719-06-MT; such motion being authorized by the Court by Order dated February 24, 2009; and the Court having heard and considered the moving papers, any opposition papers, any reply papers, and the argument of counsel; and for good cause shown;

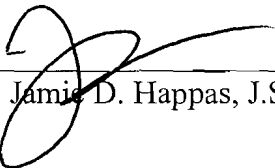
IT IS on this 24<sup>th</sup> day of June, 2009,

**ORDERED** that defendants' Motion to Dismiss plaintiff's Complaint in the case of *Patrick Harvey v. Johnson & Johnson Company, et al.*, Docket no. MID-L-6719-06-MT, based upon the doctrine of *forum non conveniens*, be and is hereby ~~granted~~; **denied without prejudice**

~~IT IS FURTHER ORDERED~~ that plaintiff's Complaint in *Patrick Harvey v. Johnson & Johnson Company, et al.*, Docket no. MID-L-6719-06-MT, be and is hereby dismissed; and

It is further ordered that by September 1, 2009, the deposition of Mary A. Allen, and if necessary, the deposition of Dr. Louis Saddler, shall be held in Mississippi to determine when Christine Harvey will be able to travel to New Jersey. Costs to be borne by plaintiff.

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon plaintiff's counsel within seven (7) days of the date of receipt by defense counsel.



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Jamie D. Happas, J.S.C.

Opposed

Unopposed

**On this date, pursuant to R. 1:6-2  
The court's statement of reasons  
have been set forth on the record.**