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Attorneys for Defendants  
Johnson & Johnson and Ortho-McNeil-Janssen Pharmaceuticals, Inc.  
(f/k/a Janssen Pharmaceutica Inc.)

**FILED**  
FEB 24 2009  
Judge Jamie D. Happas

IN RE: RISPERDAL/SEROQUEL/  
ZYPREXA LITIGATION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION : MIDDLESEX COUNTY

CASE NO. 274

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

CIVIL ACTION

**ORDER**

**Return Date: February 6, 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 at the January 14, 2009 Case Management Conference; and the Court having heard and considered the moving papers, any opposition papers, any reply papers, and the arguments of counsel; and for good cause shown;

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

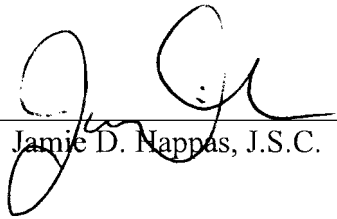
**ORDERED** that defendants' Motion to Dismiss plaintiff's Complaint in the case of *Patrick Harvey v. Johnson & Johnson Company, et al.*, Docket no. MID-L-6719-06-MT, based upon the doctrine of *forum non conveniens*, be and is hereby ~~granted~~ <sup>denied without prejudice</sup>

**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~~ mother's deposition shall take place in New Jersey by JUNE 1, 2009. If plaintiff's mother, Christine Harvey, is unable to travel to New Jersey due to health reasons, and if the parties are unable to amicably resolve their differences, defendant may re-file its motion to dismiss based on the

**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.

Opposed

Unopposed

  
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Jamie D. Nappas, J.S.C.