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Astrazeneca LP*

**FILED**  
**OCT 09 2009**  
**JUDGE JESSICA R. MAYER**

IN RE: RISPERDAL/SEROQUEL  
ZYPREXA LITIGATION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 274

CIVIL ACTION

THIS ORDER APPLIES TO:

Michael West v. Johnson & Johnson,  
et al., Docket No.: MID-L-9107-06

**ORDER DISMISSING PLAINTIFF'S  
COMPLAINT WITHOUT PREJUDICE FOR  
FAILURE TO TIMELY SERVE A LONG  
FORM PLAINTIFF FACT SHEET AS  
REQUIRED BY CASE MANAGEMENT  
ORDER NO. 4A**

**RETURN DATE: October 9, 2009**

**THIS MATTER** having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Ortho-McNeil-Janssen Pharmaceuticals, Inc. (f/k/a Janssen Pharmaceutica Inc.)<sup>1</sup> and Johnson & Johnson, and joined by McCarter & English LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP and AstraZeneca LP (collectively "AstraZeneca"), to dismiss Plaintiff's Complaint for failure to serve a Long Form Plaintiff Fact Sheet ("PFS") pursuant to Case Management Order

<sup>1</sup> Janssen L.P. has been cancelled.

No. 16; such dismissals being authorized by Case Management Order No. 4A; the Court having considered the papers submitted; and the Court having heard the arguments of counsel, if any; and for good cause shown;

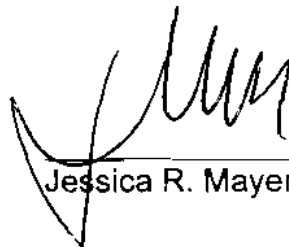
IT IS on this 9th day of October, 2009;

ORDERED that the Defendants' 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 Plaintiff by regular and certified mail, return receipt requested, accompanied by a notice in the form prescribed by Appendix II-A of the New Jersey Rules of Court, specifically explaining the consequences of failure to serve a materially Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

**UNOPPOSED**



Jessica R. Mayer, J.S.C.

  X   Unopposed  
       Opposed

**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-A of the Court Rules

Dated: October 9, 2009

*"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."*