McCARTER & ENGLISH, LLP Four Gateway Center 100 Mulberry Street P.O. Box 652 Newark, New Jersey 07101-0652 (973) 622-4444 Attomeys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA Inc., Zeneca Inc. and KBI Sub Inc.



JOHN SCHWIND.

Plaintiff.

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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 1 through 20.

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. L-400-07

: CIVIL ACTION

: In Re Risperdal/Seroquel/Zyprexa Litigation : Case No. 274

: ORDER DISMISSING PLAINTIFF'S : COMPLAINT WITHOUT PREJUDICE FOR : FAILURE TO PROSECUTE PURSUANT DOE(S) 1 through 20; and JANE DOE(S) : TO R. 1-13;7 AND CASE MANAGEMENT ORDERS NO. 22 AND 24

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 prosecute pursuant to R. 1:13-7 and Case Management Orders No. 22 and 24, such dismissal without prejudice being authorized by CMO 22, the Court having considered the papers submitted, and for good cause shown;

IT IS on this 2010; day of January, 2010;

ORDERED that AstraZeneca's motion is hereby GRANTED and that plaintiff's AstraZeneca
Complaint is DISMISSED WITHOUT PREJUDICE as to all parties — served and unserved— 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-F of the New Jersey Rules of Court, specifically explaining the consequences of failure to file and serve a timely motion to restore.

Jessica R. Mayer, J.S.C.

UNOPPOSED

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

7. CONTROL OF THE THEORY OF THE THE THEORY OF THE THEORY O

"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."