

7/6/09

**FILED**

**NOV 20 2009**

JUDGE JESSICA R. MAYER

McCARTER & ENGLISH, LLP  
Four Gateway Center  
100 Mulberry Street  
P.O. Box 652  
Newark, New Jersey 07101-0652  
(973) 622-4444

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

---

DEBORAH TRIBASTONE,  
  
Plaintiff,  
  
v.  
  
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  
DOE(S) 1 through 20; and JANE DOE(S)  
1 through 20,  
  
Defendants.

---

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY  
:  
: DOCKET NO. MID-L-366-07  
:  
: CIVIL ACTION  
:  
: In Re Risperdal/Seroquel/Zyprexa Litigation  
: Case No. 274  
:  
: **ORDER DISMISSING PLAINTIFF'S  
: COMPLAINT WITH PREJUDICE FOR  
: FAILURE TO PROVIDE OUTSTANDING  
: AUTHORIZATIONS AND/OR MISSING  
: INFORMATION PURSUANT TO CASE  
: MANAGEMENT ORDER NOS. 4 AND 19  
: AND THE AUGUST 14, 2009 ORDER OF  
: THE COURT**

**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 the Complaint with prejudice of plaintiff Deborah Tribastone for failure to provide outstanding authorizations and/or missing information pursuant to Case Management Orders 4 ("CMO 4") and 19 ("CMO 19") and the August 14, 2009 Order of the Court,

such dismissal with prejudice being authorized by the Court, the Court having considered the papers submitted, and for good cause shown;

IT IS on this 20<sup>th</sup> day of November, 2009;

**ORDERED** that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Complaint be and hereby is dismissed with prejudice as to all parties -- served and unserved -- pursuant to CMO 4, § II(D), and CMO 19, § 3 and the August 14, 2009 Order of the Court; and it is further

**ORDERED** that a signed copy of this Order be ~~served on all counsel~~ <sup>posted</sup> within seven (7) days of the date hereof; and it is further

**ORDERED** that upon being served with the within order of dismissal with prejudice, plaintiff's counsel shall forthwith serve a copy of this order on the plaintiff by regular and certified mail, return receipt requested.

  
\_\_\_\_\_  
Jessica R. Mayer, J.S.C.

Unopposed - plaintiff's counsel having complied with the requirements of R. 4:23-5(a)(2).  
 Opposed

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

**All parties are to be served within  
seven (7) days of the date hereof.**

**UNOPPOSED**