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6/11/10

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AstraZeneca Pharmaceuticals LP,
AstraZeneca LP, Zeneca, Inc., Astra
USA Inc. and KBI Sub Inc.

FILED

JUN 11 2010

JUDGE JESSICA R. MAYER

MICHAEL TYSON,

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-672-07
:
: CIVIL ACTION
:
: In Re Risperdal/Seroquel/Zyprexa Litigation
: Case No. 274
:
: **ORDER OF DISMISSAL OF PLAINTIFF'S**
: **AMENDED COMPLAINT WITHOUT**
: **PREJUDICE FOR FAILURE TO SERVE A**
: **MATERIALLY COMPLETED LONG FORM**
: **PLAINTIFF FACT SHEET PURSUANT TO**
: **CASE MANAGEMENT ORDER NOS. 4,**
: **4A, 22 AND 31.**

THIS MATTER having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca, Inc., Astra USA Inc. and KBI Sub Inc. (collectively "AstraZeneca") to dismiss the Plaintiff's Amended Complaint without prejudice for failure to serve a Materially Completed Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), Case Management Order No. 4A ("CMO 4A"), Case Management Order No. 22 ("CMO 22"), and Case Management Order No. 31 ("CMO 31"); and such dismissal

without prejudice being authorized by R. 4:23-5(a)(2); the Court having considered the papers submitted, and for good cause shown;

IT IS on this 1st day of June, 2010;

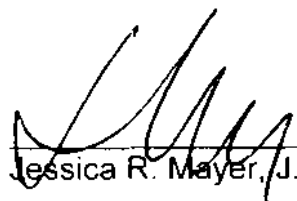
ORDERED that AstraZeneca's motion be and hereby is **GRANTED**.

AND IT IS FURTHER ORDERED that the Plaintiff's Amended Complaint be and hereby is **DISMISSED WITHOUT PREJUDICE** as to all parties - whether served or unserved;

AND IT IS FURTHER ORDERED that a signed copy of this Order be posted for 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 upon the 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 Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

"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."



Jessica R. Mayer, J.S.C.

 ✓ Unopposed

_____ Opposed

Dated: June 11, 2010

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-A of the Court Rules

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