

#0392

**FILED**  
DEC 04 2009  
JUDGE JESSICA R. MAYER

**WEITZ & LUXENBERG**  
*A New York Professional Corporation*  
210 Lake Drive East, Suite 101  
Cherry Hill, NJ 08002  
Tel. (856) 755-1115  
Attorneys for Plaintiffs

Barbara Nigro, as Proposed Administrator of the Estate of Christopher Ustin, deceased	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	MIDDLESEX COUNTY
	:	
Plaintiff,	:	DOCKET NO. MID L 2875 09 MT
	:	
v.	:	Case Code No. 274
	:	
ASTRAZENECA PHARMACEUTICALS, LP ET AL	:	<b>ORDER TO VACATE DISMISSAL</b>
	:	<b>AND TO REINSTATE COMPLAINT</b>
Defendants	:	

**THIS MATTER** having been brought before the Court by Franklin P. Solomon, counsel for plaintiffs, on a Motion pursuant to R. 4:23-5 for an Order vacating a prior Order of Dismissal Without Prejudice, reinstating the action and Demand for Jury Trial; and the Court having read the moving papers and the ~~opposition, if any, thereto; and having considered the arguments of~~ ~~counsel;~~ and for good cause shown;

IT IS on this 4<sup>th</sup> day of December, 2009

**ORDERED** that the Order of September 11, 2009 dismissing plaintiff's Complaint without prejudice be and hereby is VACATED, and the Complaint in the above-captioned action be and hereby is reinstated; and the captioned should be amended as Barhara Nigro, as Administratrix of the Estate of Christopher Ustin, deceased it is further

**ORDERED** that counsel for plaintiffs shall serve a copy of this Order on counsel for defendant within 7 days of the date of this Order.



HON. JESSICA R. MAYER, J.S.C.

Motion        Opposed  
  X   Unopposed

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

*"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."*