

**FILED**

**APR 04 2008**

**Judge Jamie D. Happas**

COUGHLIN DUFFY LLP  
350 Mount Kemble Avenue  
P.O. Box 1917  
Morristown, New Jersey 07962-1917  
(973) 267-0058  
*Attorneys for Defendants AstraZeneca  
Pharmaceuticals LP and AstraZeneca LP*

EDWARD WARNER,  
  
Plaintiff,

v.

JOHNSON & JOHNSON COMPANY;  
JANSSEN PHARMACEUTICA  
PRODUCTS, L.P. A/K/A JANSSEN,  
L.P., A/K/A JANSSEN  
PHARMACEUTICA, L.P., A/K/A  
JANSSEN PHARMACEUTICA, INC.;  
ASTRAZENECA  
PHARMACEUTICALS, L.P.;  
ASTRAZENECA, L.P.;  
ELI LILLY AND COMPANY;  
JOHN DOE Nos. 1 through 30; and  
JANE DOE Nos. 1 through 30,

Defendants.

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: SUPERIOR COURT OF NEW JERSEY  
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: LAW DIVISION: MIDDLESEX COUNTY  
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: DOCKET NO. MID-L-699-06-MT  
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: CIVIL ACTION  
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:  
: In Re Risperdal/Seroquel/Zyprexa Litigation  
:  
: Case No. 274  
:  
:  
: **ORDER OF DISMISSAL WITH PREJUDICE AS**  
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: **TO ASTRAZENECA PHARMACEUTICALS LP,**  
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: **ASTRAZENECA LP, JANSSEN, L.P., JANSSEN**  
:  
: **PHARMACEUTICA INC., AND JOHNSON &**  
:  
: **JOHNSON**  
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: **RETURN DATE: April 4, 2008**  
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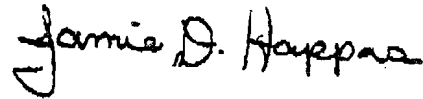
**THIS MATTER** having been brought before the Court by Coughlin Duffy LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP and AstraZeneca LP (collectively “AstraZeneca Defendants”) to dismiss plaintiff’s Complaint with prejudice for failure to provide an executed Acknowledgment and/or executed authorizations with the Short Form Plaintiff Fact Sheet (“Short Form PFS”) pursuant to Case Management Order No. 4 (“CMO 4”), §§ II.B. and II.C; the Court having entered an Order of Dismissal without prejudice, dated December 19, 2007, that expressly authorizes a dismissal with prejudice in the event plaintiff fails to vacate that Order of Dismissal without prejudice on or before March 16, 2008; and plaintiff having failed to provide an executed

Acknowledgment and/or executed authorizations with the Short Form PFS and having failed to vacate the Order of Dismissal without prejudice on or before March 16, 2008; and Defendants Janssen, L.P.<sup>1</sup>, Janssen Pharmaceutica Inc.<sup>2</sup>, and Johnson & Johnson (collectively "Janssen Defendants") having joined in the motion; and for good cause shown;

IT IS on this 4<sup>th</sup> day of April, 2008;

**ORDERED** that the AstraZeneca Defendants' motion is hereby **GRANTED**, and that plaintiff's Complaint is **DISMISSED** with prejudice against the AstraZeneca Defendants and Janssen Defendants only; and it is further

**ORDERED** that a signed copy of this Order be served on all counsel of record within seven (7) days of the date hereof.



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Jamie D. Happas, J.S.C.

Unopposed  
 Opposed

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

<sup>2</sup> Now known as Ortho-McNeil-Janssen Pharmaceuticals, Inc.