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IN RE: RISPERDAL/SEROQUEL ZYPREXA LITIGATION

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY

CASE NO. 274

CIVIL ACTION

THIS ORDER APPLIES TO:

Michael West v. Johnson & Johnson, et al., Docket No.: MID-L-9107-06

ORDER DISMISSING PLAINTIFF'S
COMPLAINT WITH PREJUDICE DUE TO
PLAINTIFF'S FAILURE TO SERVE A
COMPLETED LONG FORM PLAINTIFF
FACT SHEET AS REQUIRED BY CASE
MANAGEMENT ORDER NOS. 4, 4A, 16,
AND 21, AND THE OCTOBER 9, 2009
ORDER OF THE COURT

RETURN DATE: JANUARY 8, 2009

THIS MATTER having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Ortho-McNeil-Janssen Pharmaceuticals, Inc. (f/k/a Janssen Pharmaceutica Inc.)¹ and Johnson & Johnson, and joined by McCarter & English LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., Zeneca Inc., and KBI Sub Inc. (collectively "AstraZeneca"), to dismiss Plaintiff's Complaint with prejudice for failure to serve a Completed Long Form Plaintiff Fact Sheet ("PFS") pursuant to Case Management Order No. 4 ("CMO 4"),

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¹ Janssen L.P. has been cancelled.

Case Management Order No. 4A ("CMO 4A"), Case Management Order No. 16 ("CMO 16"), and Case Management Order No. 21 ("CMO 21"); and such dismissal with prejudice being authorized by *R*. 4:23-5(a)(2); the Court having considered the papers submitted, and for good cause shown;

ORDERED that Defendants' motion be and hereby is **GRANTED**.

AND IT IS FURTHER ORDERED that the Plaintiff's Complaint be and hereby is DISMISSED WITH PREJUDICE as to all parties - served and 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 with prejudice, Plaintiff's counsel shall forthwith serve a copy of this order upon the Plaintiff by regular and certified mail, return receipt requested.

Jessica R. Mayer, J.S.C.

Unopposed

Opposed

Dated:

OPPOSED - Plantiff's rousel having Limphed with the requirements it B. 4:23-5(a)(2)

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