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

FILED DEC 10 2007

Judge Jamie D. Happas

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: MIDDLESEX COUNTY
:
: DOCKET NO. MID-L-539-07-MT
:
: CIVIL ACTION
:
: In Re Risperdal/Seroquel/Zyprexa Litigation
: Case No. 274
:
: ORDER OF DISMISSAL WITH PREJUDICE
RETURN DATE: <u>December 10, 2007</u>

THIS MATTER having been brought before the Court by Coughlin Duffy LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc. (collectively "AstraZeneca") to dismiss plaintiff's Amended Complaint with prejudice for failure to serve a Short Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), § II.E.; such dismissal with prejudice being authorized by CMO 4, § II.H; the Court having considered the papers submitted and having heard the arguments of counsel at the October 10, 2007, Case Management Conference; and the Court having granted plaintiff sixty (60) additional days, or until December 10, 2007, to serve a Short Form Plaintiff Fact Sheet; and plaintiff having failed to serve a Short Form Plaintiff Fact Sheet on or before December 10, 2007, and for good cause shown;

IT IS on this 10th day of 10ecember, 2007;

**ORDERED** that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Amended Complaint is **DISMISSED WITH PREJUDICE** pursuant to CMO 4, § II.H.; and it is further

**ORDERED** that a signed copy of this Order be served on all counsel within seven (7)

days of the date hereof.

ppac.

Jamie D. Happas, J.S.C.

Unopposed Opposed

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Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, is therefore will be granted essentially for the reasons so forth in the moving papers.