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*Attorneys for Defendants  
Astrazeneca Pharmaceuticals LP,  
Astrazeneca LP, Astra USA Inc., Zeneca  
Inc., and KBI Sub Inc.*

**FILED**  
**SEP 25 2009**  
JUDGE JESSICA R. MAYER

MARK BRUNNER, on behalf of the Estate  
of LUANN BRUNNER, and MARK  
BRUNNER, Individually,

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-4913-09

CIVIL ACTION

In Re Risperdal/Seroquel/Zyprexa Litigation  
Case No. 274

**ORDER OF DISMISSAL OF PLAINTIFF'S  
COMPLAINT WITHOUT PREJUDICE FOR  
FAILURE TO SERVE A LONG FORM  
PLAINTIFF FACT SHEET PURSUANT TO  
CASE MANAGEMENT ORDER NOS. 4  
AND 4A.**

**THIS MATTER** having been brought before the Court 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 without prejudice for failure to serve a Long Form Plaintiff Fact  
Sheet pursuant to Case Management Order No. 4 ("CMO 4") and Case Management  
Order No. 4A ("CMO 4A"), such dismissal without prejudice being authorized by the  
Court; the Court having considered the papers submitted, and for good cause shown;

IT IS on this 25<sup>th</sup> day of September, 2009;

ORDERED that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties - served and unserved - pursuant to CMO 4, § II.G, and CMO 4A, § II.H.1 (a-c); and it is further

ORDERED that a signed copy of this Order <sup>be pasted for</sup> ~~be served on 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 on 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 materially Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

  
\_\_\_\_\_  
Jessica R. Mayer, J.S.C.

  x   Unopposed  
       Opposed

**UNOPPOSED**

"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."

Dated: September 25, 2009

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