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**FILED**

**NOV 20 2009**

JUDGE JESSICA R. MAYER

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

TERRY BUTLER AND KAREN BUTLER, HW,	: SUPERIOR COURT OF NEW JERSEY : LAW DIVISION: MIDDLESEX COUNTY
Plaintiffs,	: DOCKET NO. MID-L-1071-07
v.	: CIVIL ACTION
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.	: In Re Risperdal/Seroquel/Zyprexa Litigation : Case No. 274 : : <b>ORDER DISMISSING PLAINTIFFS' : COMPLAINT WITH PREJUDICE FOR : FAILURE TO PROVIDE OUTSTANDING : AUTHORIZATIONS AND/OR MISSING : INFORMATION PURSUANT TO CASE : MANAGEMENT ORDER NOS. 4 AND 19 : AND THE AUGUST 14, 2009 ORDER OF : THE COURT</b>
Defendants.	:

**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Inc., KBI Sub Inc., and Astra USA, Inc. (collectively "AstraZeneca") to dismiss plaintiffs' Complaint with prejudice for failure to provide outstanding authorizations and/or missing information pursuant to Case Management Orders 4 ("CMO 4") and 19 ("CMO 19") and the August 14, 2009 Order of the Court, such dismissal with prejudice

being authorized by the Court, the Court having considered the papers submitted, and for good cause shown;

IT IS on this 20<sup>th</sup> day of November, 2009;

**ORDERED** that AstraZeneca's motion is hereby **GRANTED** and that plaintiffs' Complaint be and hereby is dismissed with prejudice as to all parties -- served and unserved -- pursuant to CMO 4, § II(D), and CMO 19, § 3 and the August 14, 2009 Order of the Court; and it is further

**ORDERED** that a signed copy of this Order be ~~served on all counsel~~<sup>posted</sup> 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, plaintiffs' counsel shall forthwith serve a copy of this order on the plaintiff by regular and certified mail, return receipt requested.

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

  ✓   Unopposed - Plaintiff's counsel having complied with the requirements of R. 4:23-5(a)(2).  
       Opposed

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

Dated:

**UNOPPOSED**

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