

# 0363

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

**FILED**

AUG 06 2010

JUDGE JESSICA R. MAYER

BERNADETTE GARFIO,

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) NO. 1 THROUGH 20; and JANE  
DOE(S) NO. 1 THROUGH 20,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-651-07

CIVIL ACTION

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

**ORDER OF DISMISSAL OF PLAINTIFF'S  
AMENDED COMPLAINT WITHOUT  
PREJUDICE FOR FAILURE TO SERVE A  
COMPLETED LONG FORM PLAINTIFF  
FACT SHEET PURSUANT TO CASE  
MANAGEMENT ORDER NOS. 4, 4A, 22  
AND THE COURT'S DIRECTIVE ON JULY  
20, 2010.**

**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca, Inc., Astra USA Inc. and KBI Sub Inc. (collectively "AstraZeneca"), to dismiss the Plaintiff's Amended Complaint without prejudice for failure to serve a Completed Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), Case Management Order No. 4A ("CMO 4A"), Case Management Order No. 22 ("CMO

22"), and the Court's directive at the Case Management Conference on July 20, 2010; and the Court having considered the papers submitted, and for good cause shown;

IT IS on this 6<sup>th</sup> day of August, 2010;

**ORDERED** that AstraZeneca's motion be and hereby is **GRANTED**.

**AND IT IS FURTHER ORDERED** that the Plaintiff's Amended Complaint be and hereby is **DISMISSED WITHOUT PREJUDICE** as to all parties - whether served or 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 without prejudice, Plaintiff's counsel shall forthwith serve a copy of this Order upon 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 Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

"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."

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

Unopposed  
 Opposed

Dated: August 6<sup>th</sup>, 2010

**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-F of the Court Rules

**UNOPPOSED**