

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

FILED

APR 04 2008

Judge Jamie D. Happer

DONALD KRAUS, JR.,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
Plaintiff,	:	
	:	DOCKET NO. MID-L-1453-07-MT
v.	:	
	:	CIVIL ACTION
ASTRAZENECA	:	
PHARMACEUTICALS LP, et al.,	:	In Re Risperdal/Seroquel/Zyprexa Litigation
	:	Case No. 274
Defendants.	:	
	:	ORDER OF DISMISSAL WITH PREJUDICE
	:	
	:	RETURN DATE: <u>April 4, 2008</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 provide an executed Acknowledgment and/or executed authorizations with the Short Form Plaintiff Fact Sheet ("Short Form PFS") pursuant to Case Management Order No. 4 ("CMO 4"), §§ II.B. and II.C; the Court having entered an Order of Dismissal without prejudice, dated December 19, 2007, that expressly authorizes a dismissal with prejudice in the event plaintiff fails to vacate that Order of Dismissal without prejudice on or before March 16, 2008; and plaintiff having failed to provide an executed Acknowledgment and/or executed authorizations with the Short Form PFS and having failed to vacate the Order of Dismissal without prejudice on or before March 16, 2008; and for good cause shown;

IT IS on this 4th day of April, 2008;

ORDERED that AstraZeneca's motion is hereby **GRANTED**, and that plaintiff's Amended Complaint is **DISMISSED** with prejudice against all parties – served and unserved; and it is further

ORDERED that a signed copy of this Order be served on all counsel of record within seven (7) days of the date hereof.

Jamie D. Happs

Jamie D. Happs, J.S.C.

Unopposed
 Opposed

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.