

# 1121  
12/4/0

McCARTER & ENGLISH, LLP  
Four Gateway Center  
100 Mulberry Street  
P.O. Box 652  
Newark, New Jersey 07101-0652  
(973) 622-4444

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

**FILED**  
**DEC 04 2009**  
JUDGE JESSICA R. MAYER

JOHN MCMILLON and RAMONA  
MCMILLON, h/w,

Plaintiffs,

v.

ASTRAZENECA PHARMACEUTICALS  
LP; ASTRAZENECA LP; ASTRA USA,  
INC.; KBI SUB, INC.; ZENECA, INC..  
ASTRA USA HOLDINGS  
CORPORATION; 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-0531-07

CIVIL ACTION

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

**ORDER DISMISSING PLAINTIFFS'  
COMPLAINT WITHOUT PREJUDICE FOR  
FAILURE TO PROVIDE OUTSTANDING  
AUTHORIZATIONS AND/OR MISSING  
INFORMATION PURSUANT TO CASE  
MANAGEMENT ORDER NOS. 4 AND 24**

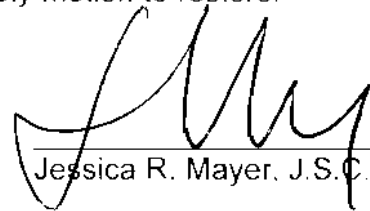
**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Inc., KBI Sub Inc., and Astra USA, Inc. (collectively "AstraZeneca") to dismiss plaintiffs' Complaint without prejudice for failure to provide outstanding authorizations and/or missing information pursuant to Case Management Order Numbers 4 ("CMO 4") and 24 ("CMO 24"), such dismissal without prejudice being authorized by CMO 24 §3, the Court having considered the papers submitted, and for good cause shown;

IT IS on this 4th day of December, 2009.

**ORDERED** that AstraZeneca's motion is hereby **GRANTED** and that plaintiffs' Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties -- served and unserved -- pursuant to CMO 4, § II(D), and CMO 24, § 3; 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; and it is further

**ORDERED** that, upon being served with the within order of dismissal without prejudice, plaintiffs' counsel shall forthwith serve a copy of this order on plaintiff by regular and certified mail, return receipt requested, accompanied by a notice in the form prescribed by Appendix II-F of the New Jersey Rules of Court, specifically explaining the consequences of failure provide outstanding authorizations and/or missing information and failure to file and serve a timely motion to restore.

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

  X   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."*

**UNOPPOSED**

Dated: December 4, 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