

#0008

**FILED**

**SEP 19 2008**

**Judge Jamie D. Happs**

DRINKER BIDDLE & REATH LLP  
A Delaware Limited Liability Partnership  
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Attorneys for Defendants  
Ortho-McNeil-Janssen Pharmaceuticals, Inc. (f/k/a Janssen Pharmaceutica Inc.)  
and Johnson & Johnson

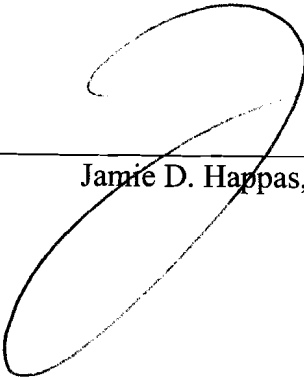
-----	:	SUPERIOR COURT OF NEW JERSEY
IN RE: RISPERDAL/SEROQUEL/	:	LAW DIVISION : MIDDLESEX COUNTY
ZYPREXA LITIGATION	:	
	:	CASE NO. 274
	:	
THIS ORDER APPLIES TO :	:	CIVIL ACTION
<i>Treharn v. Johnson &amp; Johnson Company, et</i>	:	
<i>al.,</i>	:	<b>ORDER</b>
Docket No. MID-L-3779-06 (MT)	:	
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**THIS MATTER** having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Ortho-McNeil-Janssen Pharmaceuticals, Inc. (f/k/a Janssen Pharmaceutica Inc.) and Johnson & Johnson, to dismiss the Complaint of June Treharn ("Plaintiff") and Plaintiff's spouse, David Treharn ("Spouse Plaintiff") (collectively "Plaintiffs") without prejudice for failure to serve a psychotherapy authorization pursuant to Case Management Order No. 4 ("CMO 4"), II. H and II. I; such dismissal without prejudice being authorized by CMO No. 4A II. I; the Court having considered the papers submitted; and the Court having heard the arguments of counsel, if any; and for good cause shown;

IT IS ON THIS 19<sup>th</sup> day of Sept., 2008;

**ORDERED** that Defendants' motion is hereby **GRANTED** and that the following action is **DISMISSED** without prejudice pursuant to CMO No. 4A H. 2(a): *Treharn v. Johnson & Johnson, et al.*, Docket No. MID-L-3779-06 (MT); and it is further

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

  
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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.

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