

Hon. Jessica R. Mayer, J.S.C.
Superior Court of New Jersey
Middlesex County Courthouse
56 Paterson Street
New Brunswick, New Jersey 08903
732-518-3642

FILED
SEP 25 2009
JUDGE JESSICA R. MAYER

IN RE:
RISPERDAL/SEROQUEL/ZYPREXA
LITIGATION

SUPERIOR COURT OF NEW JERSEY –
LAW DIVISION: MIDDLESEX COUNTY

This Order Applies to:

Ted Baker, et al. v. AstraZeneca
Pharmaceuticals LP, et al.
Docket No. MID-L-1099-07-MT

CASE CODE 274
CIVIL ACTION

Jeffrey Marshall v. AstraZeneca
Pharmaceuticals LP, et al.
Docket No. MID-L-7078-06-MT

ORDER ON ASTRA ZENACA'S
MOTION TO REQUIRE THE
BELLWETHER PLAINTIFFS TO
SUBMIT TO PSYCHIATRIC
EXAMINATIONS

Chris Tate v. AstraZeneca
Pharmaceuticals LP, et al.
Docket No. MID-L-1608-07-MT

Tracie Williams v. AstraZeneca
Pharmaceuticals LP, et al.
Docket No. MID-L-2038-07-MT

THIS MATTER having been opened to the Court by Dechert LLP and McCarter & English, LLP, counsel for defendants Astrazeneca Pharmaceuticals LP, Astrazeneca LP, Astra USA, Inc., KBI Sub Inc. and Zeneca, Inc. for the entry of an Order requiring the remaining bellwether plaintiffs to submit to psychiatric examination by a defense expert pursuant to Rule 4:19; and the Court having heard the arguments of counsel on September 15, 2009; and the Court having placed its reasons on the record on September 15, 2009; and the Court having considered

the written submissions of the parties, including the submissions as to the proposed form of Order; and good cause having been shown;

IT IS on this 25th day of September, 2009;

ORDERED as follows:

1. The motion on behalf of defendants Astrazeneca Pharmaceuticals LP, Astrazeneca LP, Astra USA, Inc., KBI Sub Inc. and Zeneca, Inc., pursuant to R. 4:19, to compel psychiatric examinations of the remaining bellwether plaintiffs is denied.
2. The remaining bellwether plaintiffs shall be precluded from introducing evidence that that he or she suffers mentally or emotionally as a result of taking Seroquel.
3. The remaining bellwether plaintiffs shall be precluded from introducing evidence that his or her mental or emotional condition has improved absent the use of Seroquel.
4. The remaining bellwether plaintiffs shall be precluded from seeking damages for emotional or mental suffering as a result of taking Seroquel.
5. Counsel for the remaining bellwether plaintiffs, upon cross-examining the witnesses for defendants, Astrazeneca Pharmaceuticals LP, Astrazeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc., shall be precluded from cross examining or making arguments as to defendants' failure to conduct an independent psychiatric medical examination of the remaining bellwether plaintiffs.

6. Counsel for defendants shall serve a copy of this Order upon all counsel within seven (7) days of the date of this Order.



JESSICA R. MAYER, J.S.C.