

#135D

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
SEP 25 2009
JUDGE JESSICA R. MAYER

ANN MARTINEZ,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: MIDDLESEX COUNTY
v.	:	DOCKET NO. MID-L-4334-09
ASTRAZENECA PHARMACEUTICALS LP; ASTRAZENECA LP; ASTRA USA, INC.; KBI SUB, INC.; ZENECA, INC.;	:	CIVIL ACTION
ASTRA USA HOLDINGS CORPORATION; ASTRAZENECA, AB; ASTRAZENECA, PLC; and	:	In Re Risperdal/Seroquel/Zyprexa Litigation
ASTRAZENECA, UK LIMITED; JOHN DOE(S) 1 through 20; and JANE DOE(S) 1 through 20,	:	Case No. 274
Defendants.	:	ORDER OF DISMISSAL OF PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE FOR FAILURE TO SERVE A LONG FORM PLAINTIFF FACT SHEET PURSUANT TO CASE MANAGEMENT ORDER NOS. 4 AND 4A.

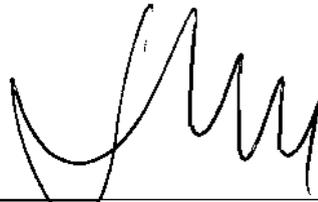
THIS MATTER having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., Zeneca Inc., and KBI Sub Inc. (collectively "AstraZeneca") to dismiss plaintiff's Complaint without prejudice for failure to serve a Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4") and Case Management Order No. 4A ("CMO 4A"), such dismissal without prejudice being authorized by the Court; the Court having considered the papers submitted, and for good cause shown;

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

ORDERED that AstraZeneca's motion is hereby **GRANTED** and that plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties - served and unserved - pursuant to CMO 4, § II.G, and CMO 4A, § II.H.1 (a-c); and it is further

ORDERED that a signed copy of this Order be ~~served on all counsel~~ ^{pushed for} 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 on 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 materially Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.



Jessica R. Mayer, J.S.C.

 X Unopposed
 Opposed

UNOPPOSED

"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."

Dated: September 25, 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