

F TOMORIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE: DePUY ORTHOPAEDICS, INC.,
ASR HIP IMPLANT PRODUCTS

Case No. 1: 10 md 2197

O R D E R

This matter comes before the Court on the Defendant's Motion to Dismiss (Doc. No. 971) and Unopposed Motion to Dismiss with Amended Appendix A (Doc. No. 973). For purposes of clarity, the Court will dismiss the initial Motion to Dismiss (Doc. No. 971), without prejudice and leave standing the Motion to Dismiss with Amended Appendix. (Doc. No. 973).

The Court is aware there are concerns as to the accuracy of the listed cases contained in the Amended Appendix (Doc. No. 973-1).

To ensure dismissal of the appropriate cases, the Court sets forth the following procedure to be implemented:

- If a Plaintiff believes a case should not be on the list, counsel should contact and confer with Defense counsel liaison, Deirdre R. Kole, Esq., prior to December 16, 2015. Ms. Kole's contact information is as follows: deirdre.kole@dbr.com (973) 549-7376.
- If the dispute cannot be resolved, Plaintiff shall file his/her objection no later than December 30, 2015.
- Objections by Plaintiffs shall be filed in the case-specific docket for each Plaintiff and shall **not** be filed on the lead docket.
- Defendants will then be granted until January 14, 2016 to respond and submit a revised

Appendix for the Court's consideration.

- All other cases in which an objection is not lodged will be dismissed subject to the Master Settlement Agreement which provides for the dismissal of cases upon funding of the Part A claim by the Defendants.

IT IS SO ORDERED.

S/ David A. Katz 11/30/2015
DAVID A. KATZ
U. S. DISTRICT JUDGE