

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

IN RE MENTOR CORP. OBTAPE	*	MDL Docket No. 2004 4:08-MD-2004 (CDL)
TRANSOBTURATOR SLING PRODUCTS	*	
LIABILITY LITIGATION	*	Case Nos. 4:13-cv-427 (M. Williams)

O R D E R

Plaintiff Margaret Brooks Williams sued Defendant Mentor Worldwide LLC for injuries that she alleges were caused by Mentor's suburethral sling product called ObTape Transobturator Tape. Mentor moved for summary judgment on Williams's claims under the following theories: Strict Liability (Count I); Breach of Express Warranty (Count III); Breach of Implied Warranty (Count IV); Common Law Fraud (Count V); Constructive Fraud (Count VI); and Negligent and Intentional Misrepresentation (Count VII). Williams does not contest summary judgment as to these claims. See Pl.'s Resp. to Def.'s Mot. for Summ. J. (ECF No. 35). Accordingly, Mentor's Motion for Partial Summary Judgment (ECF No. 33) is granted as to these claims. The only claim remaining for trial is Williams's negligence claim (Count II).

Within seven days of the date of this Order, the parties shall notify the Court whether the parties agree to a *Lexecon* waiver.

IT IS SO ORDERED, this 13th day of November, 2015.

S/Clay D. Land

CLAY D. LAND

CHIEF U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA