

WENDY B. DOLIN, Individually and as)
Independent Executor of the ESTATE OF)
STEWART DOLIN, Deceased,) Case No. 1:12-cv-06403
)
Plaintiff,)
)
)
v.)
) Judge William T. Hart
SMITHKLINE BEECHAM CORPORATION)
D/B/A GLAXOSMITHKLINE, a Pennsylvania)
Corporation,)
)
)
)
)
)
Defendant.)

Pursuant to Federal Rule of Civil Procedure 50(a), Defendant GlaxoSmithKline LLC (“GSK”) submits this Renewed Motion for Judgment as a Matter of Law.¹ For the reasons outlined in the accompanying memorandum of law, there is no legally sufficient evidentiary basis for a reasonable jury to find in favor of Plaintiff Wendy Dolin. FED. R. CIV. P. 50(a)(1).

Accordingly, GSK respectfully requests that this Court g grant GSK’s Renewed Motion for Judgment as a Matter of Law. Plaintiff’s claim against GSK should be dismissed with prejudice, and the Court should grant GSK such other and further relief as it deems just and proper.

¹ At the close of Plaintiff's case-in-chief on April 4, 2017, GSK filed, and the Court denied, its Motion for Judgment as a Matter of Law and Memorandum of Law in Support. (Dkt. Nos. 539, 540.) Since Plaintiff presented nothing on rebuttal to address the evidence lacking in her case-in-chief, and there is still no legally sufficient evidentiary basis for a reasonable jury to find for Plaintiff, GSK hereby renews and incorporates by reference as if fully set forth herein, its originally-filed Motion and Memorandum. (Dkt. Nos. 539, 540.)

Dated: April 16, 2017

Respectfully submitted,

By: /s/ Alan S. Gilbert

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CERTIFICATE OF SERVICE

It is hereby certified that on April 16, 2017, I have served a copy of the foregoing
DEFENDANT GLAXOSMITHKLINE LLC'S RENEWED MOTION FOR JUDGMENT
AS A MATTER OF LAW on all counsel of record via this Court's ECF System.

By: /s/ Alan S. Gilbert
Alan S. Gilbert
DENTONS US LLP

Attorney for GlaxoSmithKline LLC