

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

**IN RE: YASMIN AND
YAZ
(DROSPIRENONE))
MARKETING, SALES)
PRACTICES AND)
PRODUCTS)
LIABILITY)
LITIGATION**

**3:09-md-02100-DRH-
PMF
MDL No. 2100**

This Document Relates to:

Hannah Nall v. Bayer Corp. et al. No. 3:10-cv-10023-DRH-PMF

Cathy Walton v. Bayer Corp. et al. No. 3:09-cv-10217-DRH-PMF

ORDER

This matter is before the Court on Defendant Bayer HealthCare Pharmaceuticals Inc.’s motion, pursuant to Case Management Order 12 (“CMO 12”), for an Order dismissing Plaintiffs’ claims in the above-captioned matters with prejudice for failure to comply with their Plaintiff Fact Sheet (“PFS”) obligations.

On July 8, 2010, Bayer HealthCare Pharmaceuticals Inc. moved to dismiss the above-captioned matters without prejudice for failure to comply with PFS obligations. (Nall 3:10-cv-10023 Doc. 20; Walton 3:09-cv-10217 Doc. 44.) The Court granted the motion on August 12, 2010. (Nall. 3:10-cv-10023 Doc. 21; Walton 3:09-cv-10217 Doc. 45.) More than 60 days since the entry of the order of

dismissal without prejudice has passed, and neither Plaintiff has complied with her PFS obligations. Accordingly, pursuant to Section E of CMO 12, Defendant Bayer HealthCare Pharmaceuticals Inc. requests an Order converting the dismissal without prejudice to a dismissal with prejudice. Having considered the motion and the relevant provisions of CMO 12 the Court **ORDERS** as follows:

Plaintiffs in the above captioned actions have failed to comply with their obligations pursuant to CMO 12 and more than 60 days have passed since the entry of the order of dismissal without prejudice for failure to comply with CMO 12. Accordingly, pursuant to Section E of CMO 12, **Plaintiffs complaints are hereby dismissed with prejudice.**

SO ORDERED:

  David R. Herndon
2010.10.18 15:27:47
-05'00'

Chief Judge
United States District

Date: October 18, 2010