

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

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IN RE YASMIN AND YAZ (DROSPIRENONE)	: 3:09-md-02100-DRH-PMF
MARKETING, SALES PRACTICES AND	: MDL No. 2100
RELEVANT PRODUCTS LIABILITY	:
LITIGATION	:
-----	: Judge David R. Herndon

**This Document Relates to: ORDER**

**Leta Gardner v. Bayer Corp. et al. No. 3:10-cv-10034-DRH-PMF**

**Leslee Delk v. Bayer Corp. et al. No. 3:09-cv-10136-DRH-PMF**

**Melani Holliday v. Bayer Corp. et al. No. 3:10-cv-10139-DRH-PMF**

**Megan Stewart v. Bayer Corp. et al. No. 3:10-cv-20390-DRH-PMF**

**ORDER**

**HERNDON, Chief Judge:**

Plaintiffs in the above captioned matters have filed motions to vacate the order of dismissal entered on September 21, 2010 (*Gardner*, Doc. 22; *Delk* Doc. 33; *Holiday* Doc. 21; *Stewart* Doc. 17 ) for failure to comply with the Plaintiff Fact Sheet Requirements found in Case Management Order Number 12. Plaintiffs state that they are in compliance with the relevant Plaintiff Fact Sheet

Requirements.<sup>1</sup> Bayer is not opposed to Plaintiffs' motions (*Gardner*, Doc. 23; *Delk* Doc. 34; *Holiday* Doc. 22; *Stewart* Doc. 18). Accordingly, the Court hereby **VACATES** the Order dismissing without prejudice the above captioned actions and thereby **REINSTATES** the above captioned cases.

**SO ORDERED:**

 David R. Herndon  
2011.01.10  
17:45:19 -06'00'

**Chief Judge**  
**United States District**

**Date: January 10, 2011**

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<sup>1</sup> Plaintiff Stewart notes that the Court's docket stated that Plaintiff had until January 11, 2011 to respond to the Bayer Defendant's motion to dismiss. Pursuant to CMO 12, however, the deadline was 14 days from the filing of the motion to dismiss (14 days from December 8, 2010). The Court has previously noted in orders in this MDL and during a status conference in this MDL that when deadlines provided by CM/ECF conflict with orders of this Court, the Court ordered deadline will always control. The deadlines provided by CM/ECF are generated automatically based on the generic responsive pleading times allowed under the rules and do not consider special circumstances (such as court orders specific to a particular case or issue). Accordingly, the "filer is responsible for calculating the response time under the federal and/or local rules. The date generated by CM/ECF is a guideline only, and, if the Court has ordered the response to be filed on a date certain, the Court's order governs the response deadline." **United States District Court for the Southern District of Illinois, Electronic Filing Rules, Rule 3.**