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**
		ORDER

This Document Relates to:

Kelly Brockman v. McKesson Corp., et al.
No. 3:10-cv-20311-DRH-PMF

Karalyn Cardinale v. Bayer HealthCare Pharms., Inc., et al. No. 3:10-cv-11617-DRH-PMF

Emily Mixon v. Bayer HealthCare Pharms., Inc., et al. No. 3:10-cv-10715-DRH-PMF

Glenishe Rowe v. Bayer HealthCare Pharms., Inc., et al. No. 3:10-cv-10718-DRH-PMF

ORDER

HERNDON, Chief Judge:

This matter is before the Court on Defendant Bayer HealthCare Pharmaceuticals Inc.'s ("Bayer") motion to show cause why Plaintiffs' claims should not be dismissed without prejudice. To date, Plaintiffs have not responded to Bayer's motion.

In each of the above captioned cases the Court granted a motion to withdraw filed by each Plaintiff's counsel (Brockman DOC. 16 (11/18/10); Cardinale DOC. 11 (11/29/10); Mixon DOC. 7 (11/29/10); Rowe DOC. 9

(11/29/10)). Plaintiffs were required, pursuant to **local rule 83.1(g)(2)**, to file a supplementary appearance within 21 days of the entry of the Order.[1] To date, Plaintiffs have not filed a supplementary appearance. [2]

Pursuant to Federal Rule of Civil Procedure 41(b), a complaint may be involuntarily dismissed where a Plaintiff fails to prosecute or to comply with the rules or a court order. ***See* Fed. R. Civ. P. 41(b)**. The Court will grant Plaintiffs one final opportunity to demonstrate some interest in the further prosecution of their claims. Plaintiffs are hereby given until **January 18, 2011, to file an appearance as required by local rule 83.1(g)**. **If Plaintiffs fail to file an entry of appearance by this deadline, Plaintiffs' cases will be dismissed without prejudice pursuant to Rule 41(b)**.

SO ORDERED

David R. Herndon
2011.01.10 17:42:39
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Chief Judge **Date: January 10, 2010**
United States District Court

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[1] The orders in Cardinale, Mixon, and Rowe expressly gave each Plaintiff "21 days to either file an appearance on her own behalf or have new counsel appear for her, as required by **Local Rule 83.1(g)(2)**" (Cardinale DOC. 11 at 4; Mixon DOC. 7 at 22; Rowe DOC. 9 at 3).

[2] The Order in Mixon also provided: "If Plaintiff or her new counsel timely files a supplementary entry of appearance she will be given 45 days from the entry of her or her new counsel's appearance to serve her Plaintiff Fact If Plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, Plaintiff's action will be subject to dismissal without prejudice for failure to comply with this Order and with her Plaintiff Fact Sheet requirements." (Doc. 7). In Mixon an Answer was served on August 5, 2010, triggering Plaintiff's obligation to provide a Plaintiff Fact Sheet (Doc. 4). Answers had not been filed in Cardinale, Rowe, or Brockman, and accordingly, the Court concluded that it was unnecessary to provide Plaintiffs with a Plaintiff Fact Sheet extension.