

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

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<b>IN RE: YASMIN AND YAZ (DROSPIRENONE)</b> <b>MARKETING, SALES PRACTICES AND</b> <b>PRODUCTS LIABILITY LITIGATION</b>	) ) )	<b>3:09-md-02100-DRH-PMF</b> <b>MDL No. 2100</b>  <b>ORDER</b>
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**This Document Relates to:**

***Rebecca Cashion v. Bayer Corp. et al. No. 3:10-cv-10234-DRH-PMF***

***Nadine Checchia v. Bayer Corp. et al. No. 3:10-cv-10081-DRH-PMF***

***Nicole Lewis v. Bayer Corp. et al. No. 3:10-cv-10906-DRH-PMF***

***Staci Monk v. Bayer Corp. et al. No. 3:10-cv-20285-DRH-PMF***

**ORDER**

**HERNDON, Chief Judge:**

This matter is before the Court on Defendant Bayer HealthCare Pharmaceuticals Inc.’s motions, 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 December 22, 2010, Bayer HealthCare Pharmaceuticals Inc. moved to dismiss the above-captioned matters without prejudice for failure to comply with PFS obligations (Cashion DOC. 13; Checchia DOC. 16; Lewis DOC. 5; Monk DOC. 8). The Court granted the motion on January 14, 2011 (Cashion

DOC. 14; Checchia DOC. 17; Lewis DOC. 6; Monk DOC. 9). More than 60 days since the entry of the order of dismissal without prejudice have passed, and Plaintiffs still have not complied with their PFS obligations.

Accordingly, pursuant to Section E of CMO 12, Defendant Bayer HealthCare Pharmaceuticals Inc. respectfully requests that the Court issue 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**

 Digitally signed by David R. Herndon  
Date: 2011.03.22 12:50:45 -05'00'

**Chief Judge  
United States District Court**

**Date: March 22, 2011**