

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 Dismissing With
Prejudice**

This Document Relates to:

Ashley Bopp v. Bayer Corp., et al.
No. 3:10-cv-12660-DRH-PMF

Meagan Moore v. Bayer Corp., et al.
No. 3:10-cv-12696-DRH-PMF

Jennie Coachman v. Bayer Corp., et al.
No. 3:10-cv-11016-DRH-PMF

Nicole Powell v. Bayer Corp., et al.
No. 3:10-cv-11030-DRH-PMF

Cora Gaudio v. Bayer Corp., et al.
No. 3:10-cv-10815-DRH-PMF

*Janessa Turner v. Bayer HealthCare
Pharmaceuticals, Inc., et al.* No.
3:10-cv-12555-DRH-PMF

Kathryn Harris v. Bayer Corp., et al.
No. 3:11-cv-10249-DRH-PMF

Tereasa Turner v. Bayer Corp., et al.
No. 3:10-cv-11105-DRH-PMF

Nina Kendrick v. Bayer Corp., et al.
No. 3:10-cv-13586-DRH-PMF

ORDER DISMISSING WITH PREJUDICE

This matter is before the Court on defendant Bayer HealthCare Pharmaceuticals Inc.'s ("Bayer") 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 June 30, 2011, Bayer HealthCare Pharmaceuticals Inc. moved to dismiss the above-captioned matters without prejudice for failure to comply with PFS obligations.¹ The Court granted these motions on July 21, 2011.² More than 60 days since the entry of the order of dismissal without prejudice has passed, and Plaintiffs still have not complied with their PFS obligations. Accordingly, on September 23, 2011, pursuant to Section E of CMO 12, Bayer moved for an Order converting the dismissal without prejudice to a dismissal with prejudice. None of the plaintiffs has responded to Bayer's motion.

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**

¹ Bopp DOC. 6; Coachman DOC. 6; Gaudio DOC. 6; Harris DOC. 7; Kendrick DOC. 6; Moore DOC. 6; Powell DOC. 6; J. Turner DOC. 8; T. Turner DOC. 6.

² Bopp DOC. 7; Coachman DOC. 7; Gaudio DOC. 7; Harris DOC. 8; Kendrick DOC. 7; Moore DOC. 7; Powell DOC. 7; J. Turner DOC. 9; T. Turner DOC. 7.

are hereby dismissed with prejudice. Further, the Court **directs** the Clerk of the Court to enter judgment reflecting the same. Each party shall bear its own costs.

SO ORDERED

 Digitally signed by David R.
Herndon
Date: 2011.10.24 11:14:02 -05'00'

**Chief Judge
United States District Court**

Date: October 24, 2011