

**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:

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|---|---------------------------|
| <i>Christina Allmon v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-11333-DRH-PMF |
| <i>Sarah Anderson v. Bayer Corp., et al.</i> | No. 3:10-cv-12663-DRH-PMF |
| <i>Victoria Blanchfield v. Bayer Corp., et al.</i> | No. 3:10-cv-12661-DRH-PMF |
| <i>Dagmar Breeden v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-11341-DRH-PMF |
| <i>Dana Buffin v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-12071-DRH-PMF |
| <i>Audrey Burnett v. Bayer Corp., et al.</i> | No. 3:10-cv-11183-DRH-PMF |
| <i>Kendel Cochran v. Bayer Corp., et al.</i> | No. 3:10-cv-10761-DRH-PMF |
| <i>Mandolyn Davis v. Bayer Corp., et al.</i> | No. 3:10-cv-12650-DRH-PMF |
| <i>Samantha Lehman v. Bayer Corp., et al.</i> | No. 3:10-cv-12690-DRH-PMF |
| <i>Stephanie Lowery v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-11459-DRH-PMF |
| <i>Alexandria Mosher v. Bayer Corp., et al.</i> | No. 3:10-cv-12698-DRH-PMF |
| <i>Syreeta Page v. Bayer Corp., et al.</i> | No. 3:10-cv-12700-DRH-PMF |
| <i>Kelly Perez v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-13224-DRH-PMF |
| <i>Angela Perkins v. Bayer Corp., et al.</i> | No. 3:10-cv-12701-DRH-PMF |

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| <i>Rose Pickard v. Bayer Corp., et al.</i> | No. 3:10-cv-12702-DRH-PMF |
| <i>Cecelia Ruiz v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-12847-DRH-PMF |
| <i>Afton Salyers v. Bayer Corp., et al.</i> | No. 3:10-cv-12708-DRH-PMF |
| <i>Melissa Sellnow v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-12957-DRH-PMF |
| <i>Charda Siler v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-11056-DRH-PMF |
| <i>April Taylor v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:09-cv-10065-DRH-PMF |
| <i>Susan Vaughn v. Bayer Corp., et al.</i> | No. 3:10-cv-12741-DRH-PMF |
| <i>Andrea Velazquez v. Bayer Corp., et al.</i> | No. 3:10-cv-10483-DRH-PMF |
| <i>Diana Warren v. Bayer HealthCare Pharmaceuticals, Inc., et al.</i> | No. 3:10-cv-10118-DRH-PMF |

ORDER GRANTING
BAYER HEALTHCARE PHARMACEUTICALS INC.’S
MOTION TO DISMISS WITH PREJUDICE

HERNDON, Chief Judge:

This matter is before the Court on Defendant Bayer HealthCare Pharmaceuticals Inc. 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 (filed August 31, 2011).

On June 10, 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 June 29, 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, 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: 2011.09.16 16:42:58
-05'00'

**Chief Judge
United States District Court**

Date: September 16, 2011

¹ Allmon Doc. 8; Anderson Doc. 6; Blanchfield Doc. 6; Breeden Doc. 8; Buffin Doc. 6; Burnett Doc. 6; Cochran Doc. 16; Davis Doc. 6; Lehman Doc. 6; Lowery Doc. 7; Mosher Doc. 6; Page Doc. 6; Perez Doc. 6; Perkins Doc. 6; Pickard Doc. 6; Ruiz Doc. 7; Salyers Doc. 6; Sellnow Doc. 5; Siler Doc. 6; Taylor Doc. 47; Vaughn Doc. 6; Velazquez Doc. 14; Warren Doc. 23.

² Allmon Doc. 9; Anderson Doc. 7; Blanchfield Doc. 7; Breeden Doc. 9; Buffin Doc. 7; Burnett Doc. 7; Cochran Doc. 17; Davis Doc. 7; Lehman Doc. 7; Lowery Doc. 8; Mosher Doc. 7; Page Doc. 7; Perez Doc. 7; Perkins Doc. 7; Pickard Doc. 7; Ruiz Doc. 8; Salyers Doc. 7; Sellnow Doc. 6; Siler Doc. 7; Taylor Doc. 48; Vaughn Doc. 7; Velazquez Doc. 15; Warren Doc. 24.