

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

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

**This Document Relates to:**

**Judge David R. Herndon**

*Christine Theresa Ray v. Bayer Corporation, et al. No. 3:11-cv-13482-DRH-PMF*

*Pamela Robertson v. Bayer HealthCare Pharmaceuticals Inc., et al No. 3:11-cv-11202-DRH-PMF*

*Brittney Crossley v. Bayer HealthCare Pharmaceuticals Inc., et al. No. 3:11-cv-20154-DRH-PMF*

*Denise Cunningham, et al. v. Bayer HealthCare No. 3:14-cv-10196-DRH-PMF Pharmaceuticals Inc., et al.<sup>1</sup>*

**ORDER GRANTING DISMISSAL WITHOUT PREJUDICE**

**HERNDON, District Judge:**

This matter is before the Court on Defendant's (Bayer HealthCare Pharmaceuticals Inc.) motions for an order dismissing the above captioned plaintiffs' claims without prejudice for failure to file an appearance as required by this Court's Order and Local Rule 83.1(g)(2).

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<sup>1</sup> This Order of dismissal applies only to plaintiff Susan Goggins' claims. However, as all other plaintiffs have previously been dismissed this matter will be dismissed in its entirety.

In each of the above captioned cases, the Court granted a motion to withdraw filed by counsel. The orders granting leave to withdraw expressly provided that if the subject plaintiff (or her new counsel) failed to file a timely supplementary entry of appearance, the action would be subject to dismissal without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or to comply with the orders of this Court. To date, and in violation of this Court's orders and Local Rule 83.1(g), the above captioned plaintiffs have not filed a supplementary appearance. In addition, the above captioned plaintiffs have not responded to the pending motions to dismiss.

The plaintiffs must comply with the Local Rules and this Court's orders. Fed. R. Civ. P. 41(b). Accordingly, for the reasons stated herein, the claims of the above captioned plaintiffs are hereby **DISMISSED** without prejudice and the above captioned matters are closed.<sup>2</sup>

**IT IS SO ORDERED.**

Signed this 30th day of April, 2015.

*David R. Herndon*



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by David R.  
Herndon

Date: 2015.04.30  
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**United States District Court**

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<sup>2</sup> As noted above, in member action *Denise Cunningham, et al. v. Bayer HealthCare Pharmaceuticals Inc., et al. No. 3:14-cv-10196-DRH-PMF*, the present order of dismissal applies only to plaintiff Susan Goggins. However, as all other plaintiffs in this member action have previously been dismissed, the matter is dismissed in its entirety and closed.