

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

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

This Document Relates to:

**IRMA M FLORES, surviving mother of : No. 3:12-cv-20119-DRH-
 STEPHANIE C. RASCON, on her own : PMF**
behalf and for and on behalf of PEDRO
P FLORES, surviving father of
STEPHANIE C. RASCON and the
surviving statutory beneficiaries of
STEPHANIE C. RASCON,

Plaintiff,

v.

BAYER CORPORATION, et al.,

Defendants.

This matter is before the Court on the plaintiff's motion to remand to state court for lack of diversity or, in the alternative, to amend the complaint to join certain non-diverse defendants (specifically, seven Arizona physicians named in the plaintiff's Arizona State Court medical malpractice action) and remand for lack of diversity (Doc. 17). The Bayer defendants have filed a notice of non-opposition stating that they do not oppose the plaintiff's alternative motion for leave to amend her complaint to join certain non-diverse parties as defendants

and, therefore, do not oppose remand of this action to state court (Doc. 19).

Upon consideration of the plaintiff's motion and the Bayer defendants response consenting thereto, the Court **ORDERS** as follows:

The Court hereby **GRANTS** the plaintiff leave to file an amended complaint. The plaintiff shall electronically file the amended complaint with the Clerk of the Court no later than January 11, 2013. Immediately upon the filing of the amended complaint, this case shall be REMANDED to the Arizona Superior Court in Maricopa County, pursuant to 28 U.S.C. § 1447(e) and (c) for lack of subject matter jurisdiction.

SO ORDERED:

 Digitally signed by
David R. Herndon
Date: 2013.01.03
16:29:14 -06'00'

Chief Judge
United States District Court

Date: January 3, 2013