

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE: PRADAXA (DABIGATRAN
ETEXILATE) PRODUCTS
LIABILITY LITIGATION

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) **3:12-md-02385-DRH-SCW**
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) **MDL No. 2385**
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This Document Relates to:

<i>Vernie Bargo, Individually and as Administrator for the Estate of Jennie Mills</i>	<i>v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.</i>	MDL 3:12-cv- 50028
<i>Calvin D. Biddix</i>	<i>v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.</i>	MDL 3:12-cv- 50020
<i>John Bishop and Laura Bishop</i>	<i>v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.</i>	MDL 3:12-cv- 50014
<i>William Bohl</i>	<i>v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp.</i>	MDL 3:12-cv- 50024

Esther L. Ciambro	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv- 50021
Betty Corirossi	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp.	MDL 3:12-cv- 50019
Brenda Lee Crosby, Individually and as the Representative of the Estate of Rose Marie Martin, Deceased	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv- 50010
Carl Ecklund and Joan Ecklund	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Roxane, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Pharma GmbH & Co. KG Boehringer Ingelheim International GmbH Bidachem S.P.A.	MDL 3:12-cv- 60007
Khaleel Elahee and Sarah Elahee	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv- 50015
Nancye Farley and James Farley	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp.	MDL 3:12-cv- 60056

**Boehringer Ingelheim Vetmedica,
Inc.**

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| John Fontana | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Fremont,
Inc.
Boehringer Ingelheim Pharma
GmbH & Co. KG
Boehringer Ingelheim International
GmbH
Bidachem S.P.A</i> | MDL 3:12-cv-
60084 |
| Melvin Giles, Jr.,
Individually and
as Representative
of the Estate of
Melvin Giles, Sr.,
Deceased | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc. <i>Boehringer
Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Vetmedica,
Inc.
Boehringer Ingelheim Pharma
GmbH & Co. KG
Boehringer Ingelheim
International GmbH</i></i> | MDL 3:12-cv-
60014 |
| Claire Gornetsky | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Vetmedica,
Inc.</i> | MDL 3:12-cv-
50022 |
| Dolly Groves | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc. <i>Boehringer
Ingelheim Corp.
Boehringer Ingelheim USA Corp.</i></i> | MDL 3:12-cv-
50023 |
| Roy Brown Heady | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.</i> | MDL 3:12-cv-
60034 |

**Boehringer Ingelheim Vetmedica,
Inc.**

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| Phyllis Kekich | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Vetmedica,
Inc.</i> | MDL 3:12-cv-
50009 |
| Mary Ann Krszal
and William
Krszal | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.,
Boehringer Ingelheim International
GmbH
Boehringer Sohn AG & Co. KG
Pharmaceuticals, Inc.
Boehringer Ingelheim
Auslandsbeteiligungs GmbH
Boehringer Sohn
Grundstücksverwaltung GmbH &
CO</i> | MDL 3:12-cv-
60085 |
| Anthony L.
Kujawski,
Individually and
as Personal
Representative of
the Estate of
Margaret
Kujawski,
Deceased | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Vetmedica,
Inc.</i> | MDL 3:12-cv-
60055 |
| John A. Lagoe | v. <i>Boehringer Ingelheim
Pharmaceuticals, Inc.
Boehringer Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Vetmedica,
Inc.</i> | MDL 3:12-cv-
50030 |

Colleen MacGilvray and Roger MacGilvray, Jr., Individually and as Personal Representatives of the Estate of Roger MacGilvray, Sr., Deceased	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv-50029
William Martin	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp.; Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv-50016
Stacy McCoy and Dawn McCoy, individually and as attorney in fact for their Mother Constance Love	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv-50013
Richard Milazzo	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv-50018
Roy Pulse, Individually and as Representative of the Estate of Violet Pulse, Deceased	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.	MDL 3:12-cv-50026
Heather Schaufelberger, On Behalf of Yoka Schaufelberger,	v. Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp.	MDL 3:12-cv-50025

Deceased	Boehringer Ingelheim Vetmedica, Inc.	
Arthur Schemerhorn	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.</i>	MDL 3:12-cv-5002
Lynn Schofield	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.</i>	MDL 3:12-cv-50017
Amanda Scott, Individually and as Representative of the Estate of Ray Herndon Celsor, Deceased	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc. Boehringer Ingelheim Pharma GmbH & Co. KG Boehringer Ingelheim International GmbH</i>	MDL 3:12-cv-60029
Bobby D. Sessoms and Ruby J. Sessoms	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Pharma GmbH & Co. KG Boehringer Ingelheim International GmbH Bidachem S.P.A. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp.</i>	MDL 3:12-cv-60012
Kathryn Jospine Spitz	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim International GmbH Boehringer Sohn AG & Co. KG Pharmaceuticals, Inc.</i>	MDL 3:12-cv-60086

**BI Auslandsbeteiligungs GmbH
Boehringer Sohn
Grundstücksverwaltung GmbH &
CO**

Arnold Sykes	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc. Boehringer Ingelheim Pharma GmbH & Co. KG Boehringer Ingelheim International GmbH</i>	MDL 3:12-cv- 60005
Robert Webber, Individually and on Behalf of All Wrongful Death Beneficiaries of Lillian Webber, Deceased, and the Estate of Lillian Webber, By and Through Robert Webber, Executor	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. <i>Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc. Boehringer Ingelheim Pharma GmbH & Co. KG Boehringer Ingelheim International GmbH</i></i>	MDL 3:12-cv- 60058
Lois Williams, Individually and as the Representative of the Estate of Elbert Williams, Deceased	v. <i>Boehringer Ingelheim Pharmaceuticals, Inc. <i>Boehringer Ingelheim Corp. Boehringer Ingelheim USA Corp. Boehringer Ingelheim Vetmedica, Inc.</i></i>	MDL 3:12-cv- 50011

**Sharon Williams
Individually and
as Legal
Guardian of the
Person and Estate
of Roy Graybeal,
an Incapacitated
Person**

**v. *Boehringer Ingelheim
Pharmaceuticals, Inc.Boehringer
Ingelheim Corp.
Boehringer Ingelheim USA Corp.
Boehringer Ingelheim Roxane Inc.
Boehringer Ingelheim Pharma
GmbH & Co. KG
Boehringer Ingelheim International
GmbH
Bidachem S.P.A.***

**MDL 3:12-cv-
60067**

**CONSENT ORDER DISMISSING BOEHRINGER INGELHEIM VETMEDICA,
INC., BOEHRINGER INGELHEIM ROXANE, INC., BOEHRINGER INGELHEIM
CORPORATION AND BOEHRINGER INGELHEIM USA CORPORATION
WITHOUT PREJUDICE**

Based on the agreement of the Parties, the Court hereby Orders as follows:

1. In the actions listed above, the Court dismisses all claims against
Boehringer Ingelheim Vetmedica, Inc., *Boehringer Ingelheim Roxane, Inc.*,
Boehringer Ingelheim Corporation, and/or *Boehringer Ingelheim USA
Corporation* without prejudice.
2. Consistent with the provisions contained in Case Management Order 7
applicable to the tolling of the statute of limitations (CMO-7, ECF No. 43,
entered 10/3/2012), the dismissal of the above-named entities is subject to
the following:
 - a. The statute of limitations applicable to plaintiffs' claims against
Boehringer Ingelheim Vetmedica, Inc., *Boehringer Ingelheim
Roxane, Inc.*, *Boehringer Ingelheim Corporation*, and/or
Boehringer Ingelheim USA Corporation will not expire until the

later of (i) the expiration of the then-existing statute of limitations, (ii) on October 3, 2013, or (iii) as extended by agreement of the Parties in writing.

- b. Boehringer Ingelheim Vetmedica, Inc., Boehringer Ingelheim Roxane, Inc., Boehringer Ingelheim Corporation, and Boehringer Ingelheim USA Corporation expressly reserve all jurisdictional defenses, including those previously raised by motion in this Court in member actions 3:12-cv-50001 through 3:12-cv-50008.
- c. The tolling of the statute of limitations is without waiver of any jurisdictional defenses of Boehringer Ingelheim Vetmedica, Inc., Boehringer Ingelheim Roxane, Inc., Boehringer Ingelheim Corporation, and/or Boehringer Ingelheim USA Corporation, and each plaintiff expressly agrees that the tolling of such limitations period shall not be raised in an effort to assert jurisdiction over those entities in state or federal court in Illinois or elsewhere.
- d. Should a plaintiff initiate and/or reinstate his or her claims against one or more of Boehringer Ingelheim Vetmedica, Inc., Boehringer Ingelheim Roxane, Inc., Boehringer Ingelheim Corporation, and/or Boehringer Ingelheim USA Corporation,

then counsel for those Defendants agrees, and is hereby ordered, to execute a waiver of service as provided in Rule 4(d) of the Federal Rules of Civil Procedure as a means of eliminating the requirement for formal service of process through the Uninvolved Defendants' registered agents.

So Ordered:

 Digitally signed by
David R. Herndon
Date: 2012.12.07
16:26:08 -06'00'



**Chief Judge
United States District Court**

Date: December 7, 2012