

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

X

**IN RE YASMIN AND YAZ (DROSPIRENONE)
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

**3:09-md-02100-DRH-PMF
MDL No. 2100**

This Document Relates to:

Judge David R. Herndon

*Elizabeth Carrion, et al. v. Bayer Corporation,
et al. No. 3:12-cv-10704-DRH-PMF*¹

*Margaret Colson, et al. v. Bayer Corporation,
et al. No. 3:12-cv-11434-DRH-PMF*²

*Elizabeth Barns, et al. v. Bayer Corporation,
et al. No. 3:13-cv-10371-DRH-PMF*³

*Sophia Darlington, et al. v. Bayer
Corporation, et al. No. 3:13-cv-10372-DRH-
PMF*⁴

ORDER GRANTING LEAVE TO WITHDRAW

And

Addressing Responsive Pleading Deadline to Pending Motions to Dismiss

HERNDON, Chief Judge:

Due to a conflict that has arisen, the law firm of Jones Ward PLC, through Jasper D. Ward, moves to withdraw as counsel of record for the specified plaintiffs in the above captioned matters. The Court notes that Jasper D. Ward

¹ This order applies to only plaintiff Amber Croxford.

² This order applies to only plaintiff Brandi Larmee.

³ This order applies to only plaintiffs Elizabeth Barns, Jennifer Guadalupe, and Cody Schwerdtfeger.

⁴ This order applies to only plaintiffs Shannon Baxter, Mary Blum, and Catherine Standlee.

and not the law firm of Jones Ward PLC represents the subject plaintiffs. Accordingly, as to the law firm of Jones Ward PLC, the motion is unnecessary.

As to Jasper D. Ward and after considering the motions, the Court finds that the requirements of Local Rule 83.1 and of the applicable provisions of the Rules of Professional Conduct pertaining to withdrawal of counsel have been satisfied.

Therefore, the motion, as to attorney Jasper D. Ward is GRANTED. To the extent that the motion seeks leave to withdraw on behalf of the law firm of Jones Ward PLC, the motion is DENIED as unnecessary.

Further, the Court ORDERS as follows:

1. The Court directs movant to serve a copy of this order of withdrawal within 7 days upon all counsel of record and upon unrepresented parties as required by Local Rule 83.1.
2. Supplementary Entry of Appearance: Should the plaintiffs choose to continue pursuing this action, each plaintiff or her new counsel must file a supplementary entry of appearance within 21 days of the entry of this Order.
3. If a timely supplementary entry of appearance is not filed, the non-compliant plaintiff's action will 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.

Further, the Court notes that motions to dismiss **WITH prejudice**, in accord with Case Management Order Number 60, are pending in relation to the above captioned plaintiffs. In accord with the local rules of this Court, the plaintiffs' responses to the motions to dismiss must be filed within 30 days of the filing of said motions.

However, in light of the plaintiff's need to obtain new counsel, the Court will extend the plaintiff's responsive pleading deadline. The plaintiffs, or the plaintiffs' new counsel, are given 60 days from the date this order is entered to file a responsive pleading to the pending motions to dismiss. **If a timely response is not filed, the plaintiffs' claims will be subject to dismissal WITH PREJUDICE in accord with the provisions of CMO 60.**

More specifically, the Court notes as follows: Upon the expiration of the extended 60-day responsive pleading deadline, the motion will be considered by the Special Master who will issue a report and recommendation. The parties will then have 14 days from the filing of the Special Master's report and recommendation to file any response or objections thereto. Upon the expiration of the 14 day deadline, the motion to dismiss WITH prejudice will be ripe for consideration by the Court.

SO ORDERED:

 Digitally signed by
David R. Herndon
Date: 2014.03.28
03:44:29 -05'00'

**Chief Judge
United States District Court**

Date: March 28, 2014