UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE: PRADAXA (DABIGATRAN ETEXILATE) PRODUCTS LIABILITY LITIGATION	)	3:12-MD-02385-DRH-SCW
	)	MDL NO. 2385
	)	CHIEF JUDGE DAVID R. HERNDON

THIS DOCUMENT RELATES TO:

JOE STILWELL V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-50355-DRH-SCW
DONALD CARTNER V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-50393-DRH-SCW
ROGER POCRNICH V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-50389-DRH-SCW
DOUGLAS HEDGPETH V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-50661-DRH-SCW
GLORIA LOYD V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-51097-DRH-SCW
FLOYD PEDONE V. BOEHRINGER	3:13-CV-51094-DRH-SCW

INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	
CAROL SCHWEITZER, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ROBERT SCHWEITZER, DECEASED, V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-51099-DRH-SCW
JOHN REED V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-51098-DRH-SCW
RONALD SANTEE V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-51096-DRH-SCW
CURTIS CLAYTON V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-51136-DRH-SCW
PATRICIA LYNCH V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-51347-DRH-SCW
BRIAN WAGNER V. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., AND BOEHRINGER INGELHEIM INTERNATIONAL GMBH	3:13-CV-50656-DRH-SCW

ORDER GRANTING DISMISSAL WITHOUT PREJUDICE

HERNDON, Chief Judge:

This matter is before the Court on the Defendants' (Boehringer Ingelheim Pharmaceuticals Inc. and Boehringer Ingelheim International GmbH) motions, pursuant to Federal Rule of Civil Procedure 41(b), 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).[1]

The Court granted motions to withdraw filed by Plaintiffs' counsel on the following dates:

1. Joe Stilwell– September 26, 2013 (Doc. 7)
2. Douglas Hedgpeth - December 13, 2013 (Doc. 6)
3. Brian Wagner– December 13, 2013 (Doc. 6)
4. Donald Cartner– January 13, 2013 (Doc. 6)
5. Roger Pocrnich– January 13, 2014 (Doc. 6)
6. Curtis Clayton– February 5, 2014 (Doc. 8)
7. Floyd Pedone– February 11, 2014 (Doc. 6)
8. Carol Schweitzer– February 11, 2014 (Doc. 6)
9. Gloria Loyd– February 14, 2014 (Doc. 6)
10. John Reed– February 14, 2014 (Doc. 6)
11. Ronald Santee– February 14, 2014 (Doc. 6)

[1] The Court notes that plaintiff Donald Hellbaum (3:13-50414-DRH-SCW) is referenced in the body of the defendants' motion but not the caption. Further, a motion to dismiss plaintiff Hellbaum's claims was not filed in plaintiff Hellbaum's member action. Accordingly, this order does not address any issues pertaining to plaintiff Hellbaum.

12. Patricia Lynch– March 18, 2014 (Doc. 6)

In each case, the Court's Order provided that "if plaintiffs or plaintiffs' new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, 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." To date, and in violation of the Orders and Local Rule 83.1(g), Plaintiffs have not filed a supplementary appearance. In addition, none of the above captioned plaintiffs has responded to the instant motion to dismiss.

Further, Plaintiffs Stilwell, Hedgpeth, Cartner, Pocnrich, Pedone, Schweitzer, Loyd, Reed, Santee, Clayton and Lynch have prejudiced BIPI and BII by failing to provide Plaintiff Fact Sheet ("PFS") information. The PFS information was due in each case as follows:

1. Joe Stilwell – October 20, 2013[2]
2. Douglas Hedgpeth – January 11, 2014[3]
3. Donald Cartner – December 25, 2013[4]
4. Roger Pocrnich – December 25, 2013[5]
5. Curtis Clayton – February 17, 2014[6]
6. Floyd Pedone – February 8, 2014[7]

[2] BIPI and BII answered the *Stillwell* complaint on 9/5/2013 & 9/6/2013, respectively. (Docs 5 & 6)
[3] BIPI and BII answered the *Hedgpeth* complaint on 9/27/2013 & 10/2/2013, respectively. (Docs 3 & 4)
[4] BIPI and BII answered the *Cartner* complaint on 9/10/2013 & 9/11/2013, respectively. (Docs 3 & 4)
[5] BIPI and BII answered the *Pocrnich* complaint on 9/10/2013 & 9/11/2013, respectively. (Docs 3 & 4)
[6] BIPI and BII answered the *Clayton* complaint on 12/2/2013 & 12/3/2013, respectively. (Docs 3 & 4)

7. Carol Schweitzer – February 9, 2014[8]

8. Gloria Loyd – February 8, 2014[9]

9. John Reed – February 8, 2014[10]

10. Ronald Santee – February 8, 2014[11]

11. Patricia Lynch – March 9, 2014[12]

To date, and in violation of CMO 15, as amended, the above-mentioned Plaintiffs have not served a fact sheet. These PFSs are overdue.

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.

SO ORDERED:

Digitally signed by David R. Herndon
Date: 2014.05.21 11:43:42 -05'00'

Chief Judge **Date: May 21, 2014**
United States District Court

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[7] BIPI and BII answered the *Pedone* complaint on 11/25/2013 & 11/27/2013, respectively. (Docs 3 & 4)
[8] BIPI and BII answered the *Schweitzer* complaint on 11/25/2013 & 11/27/2013, respectively. (Docs 3 & 4)
[9] BIPI and BII answered the *Loyd* complaint on 11/25/2013 & 11/27/2013, respectively. (Docs. 3 & 4)
[10] BIPI and BII answered the *Reed* complaint on 11/25/2013 & 11/27/2013, respectively. (Docs 3 & 4)
[11] BIPI and BII answered the *Santee* complaint on 11/25/2013 & 11/27/2013, respectively. (Docs 3 & 4)
[12] BIPI and BII answered the *Lynch* complaint on 1/23/2014. (Docs 3 & 4)