

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

**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:

Michelle Zambon v. Bayer Corporation, et al.
No. 3:14-cv-10214-DRH-PMF

ORDER

HERNDON, District Judge:

On January 30, 2017, the Court entered an order directing *pro se* plaintiff Michelle Zambon to answer the Court's interrogatories regarding her medical issues and attempts at hiring new counsel on or before March 1, 2017 (Doc. 34). The January 30th order was issued in response to Ms. Zambon's further request for an extension of time to hire new counsel and to file an opposition to Defendant Bayer's Motion for Summary Judgment (Doc 33). To date, Ms. Zambon has not answered the interrogatories nor requested an extension of time to do so. For the following reasons, this matter is **dismissed without prejudice** for failure to prosecute.

As noted in its previous order, the issue regarding plaintiff needing counsel has been ongoing since August 2016. The Court has been very lenient in allowing plaintiff adequate time to secure representation, providing multiple extensions of

time (*See Docs. 19, 27, 34*). The Court understands, and is not unsympathetic to, plaintiff's ongoing medical struggles, and in an effort to better comprehend Ms. Zambon's ongoing medical treatments and recoveries, issued the interrogatories stated in its January 30th order. The answers provided by Ms. Zambon were intended to aid the Court in determining whether, and how much, additional time plaintiff needed to progress with her case. As stated above, Plaintiff Zambon has not responded in any way to the Court's order.

Ms. Zambon was warned that failure to comply with the January 30th order could result in the dismissal of her case. Because Plaintiff Zambon has failed to respond to the Court's order as directed by March 1, 2017, either by providing answers to the interrogatories or by requesting more time to do so, this case is dismissed without prejudice for failure to prosecute. *See FED. R. CIV. P. 41(b)*. The pending motions in this case are moot. This Order closes the case and the Court **DIRECTS** the Clerk to terminate this action from its docket.

IT IS SO ORDERED.

Signed this 3rd day of March, 2016.

David R. Herndon



Digitally signed by

Judge David R.

Herndon

Date: 2017.03.03

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United States District Judge