

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE BRIDGESTONE/FIRESTONE, INC  
TIRES PRODUCT LIABILITY LITIGATION

Master File No. IP-9374-C-B/S  
MDL No. 1373

THIS DOCUMENT APPLIES TO:

YURY MAZO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
FORD MOTOR COMPANY, )  
)  
Defendant. )  
)  
)

1:08-cv-5844 SEB-JMS

**ORDER REGARDING PARTIES' STIPULATION OF DISMISSAL**

(Individual Docket No. 16)

The Court cannot approve the parties' Stipulation of Dismissal (filed at Individual Docket No. 16)<sup>1</sup> as written. It was filed by attorney, Charles Mindlin, who has not filed an appearance in this cause as required by paragraph 4 of the Court's December 12, 2008, Order Transferring Case to CM/ECF, and whose relationship to the parties is unknown to the Court. And, it is signed by attorney Sergio V. Medina, who apparently represents Defendant Ford, but who also has failed to

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<sup>1</sup> All filings in this cause are required to be made in both the MDL Master Docket, Cause No. 00-9374, and in the Individual Docket, Cause No. 08-5844, but parties failed to file their Stipulation of Dismissal in the MDL Master Docket. This has been an ongoing problem and the parties are admonished to comply with the MDL filing instructions, as they have been previously ordered to do. Copies of the MDL filing instructions were provided to counsel of record with the court's December 12, 2008, Order Transferring Case to CM/ECF.

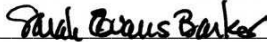
file an appearance in this cause. As neither attorney has properly appeared, the Stipulation of Dismissal does not contain the proper signatures of counsel required by Fed. R. Civ. P. 11 and Local Rule 5.11.

Moreover, by asking the Court to dismiss this case with prejudice, but retain jurisdiction to enforce the parties' Confidential Settlement Agreement, the parties would have the Court violate the limits of its jurisdiction. The parties should review Shapo v. Engle, 463 F.3d 641 (7<sup>th</sup> Cir. 2006) and related cases and re-file a document that does not ask the Court to exceed its jurisdiction.

The parties shall have additional time through and including January 29, 2010, to file appropriate documents to resolve this cause with the Clerk of the Court. If they fail to do so, this cause will be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

Date: 01/14/2010

  
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SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

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