

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

ANITA FORD

CIVIL ACTION

VERSUS

NO: 13-6317

MENTOR WORLDWIDE, LLC, SOUTH  
FLORIDA PLASTIC SURGERY  
ASSOCIATES, AND DR. DON R.  
REVIS, JR.

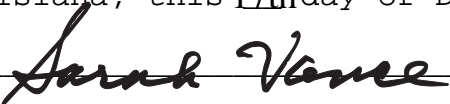
SECTION: R

ORDER

Defendant Mentor Worldwide, LLC moves the Court to dismiss plaintiff's claims against Mentor under Federal Rule of Civil Procedure 12(b)(6).<sup>1</sup> Defendant argues that plaintiff's claims are preempted by federal law under *Riegel v. Medtronic*, 552 U.S. 312 (2008), because the claims challenge the safety or effectiveness of a medical device that received premarket approval from the FDA. Plaintiff does not oppose dismissal of her claims against Mentor.<sup>2</sup>

Defendant is correct that plaintiff's claims against it are preempted under *Riegel*. Accordingly, the Court GRANTS the motion and dismisses plaintiff's claims against Mentor with prejudice.

New Orleans, Louisiana, this 17<sup>th</sup> day of December, 2013.



SARAH S. VANCE  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup> R. Doc. 4.

<sup>2</sup> R. Doc. 16.