

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**WILEY EZELL, ET AL.**

**CIVIL ACTION NO. 17-00796**

**VERSUS**

**JUDGE ROBERT G. JAMES**

**MEDTRONIC PLC, ET AL.**

**MAG. JUDGE JOSEPH PEREZ-MONTES**

**JUDGMENT**

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and noting the absence of objections to the Report and Recommendation in the record, and concurring with the Magistrate Judge's findings under the applicable law,

**IT IS ORDERED** that Plaintiffs' Motion for Leave to File Amended and Supplemental Petition [Doc. No. 12] is **GRANTED**. Medtronic Vascular Galway (Unlimited Company) is added as a Defendant in this matter.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Defendant Medtronic plc's Motion to Dismiss for Lack of Jurisdiction [Doc. No. 10] is **GRANTED IN PART and DENIED IN PART**. The motion is **GRANTED** as to Defendant Medtronic plc, and Plaintiffs' claims against this Defendant are **DISMISSED WITHOUT PREJUDICE** for lack of personal jurisdiction. To the extent that Medtronic plc sought dismissal of claims of the now-named

Defendant Medtronic Vascular Galway (Unlimited Company), the motion is **DENIED**.<sup>1</sup>

MONROE, LOUISIANA, this 28<sup>th</sup> day of February, 2018.

  
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ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>It is not clear that Defendants move for the dismissal of claims against Medtronic Vascular Galway (Unlimited Company), but out of an abundance of caution, the Court clarifies that it is dismissing the claims against Medtronic plc only.