

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

	)	
IN RE NEURONTIN MARKETING	)	
AND SALES PRACTICES LITIGATION	)	
	)	
THIS DOCUMENT RELATES TO:	)	CIVIL ACTION NO. 04-cv-10981-PBS
	)	
PRODUCTS LIABILITY CASES	)	
	)	

**ORDER**

May 29, 2013

Saris, C.J.

On April 1, 2013 Chief Magistrate Judge Sorokin issued a Report and Recommendation regarding the remaining individual products liability cases in this multi-district litigation. After review of the record, the Court **ADOPTS** the recommendation (Doc. 4077) as follows:

**A. Pro-Se Cases**

On December 12, 2012, the Court issued an order requiring pro se plaintiffs to file a certification with the Court by February 6, 2013 or face dismissal with prejudice. See Doc. 4058. The order also required the Schwartz firm, the former counsel of some pro se plaintiffs, to serve the order and blank certification form to each of the plaintiffs. Id. at 2. The Schwartz firm failed to serve the order and blank certification form to its former clients, and therefore, none of them filed the pro se certification. On April 1, 2013, the Court ordered the

Defendants to make reasonable efforts to serve the Report and Recommendation on the Schwartz firm's former clients. Twelve plaintiffs have since filed objections or certifications requesting that they be permitted to proceed pro-se. The Court grants their request to proceed pro-se and **REMANDS** the following plaintiffs' cases: Earnestine Parker, Freddie B. Lytle, George Lemacks, Sandra Logan, Lester Collins Carr Jr., Monica L. Saenz-Cull, Helen Susan Wine, John W. Wilhelm, Betty Thurmond, Caryl Taylor, Elroy L. Johnson, and Christine Dozier. The Court **DISMISSES WITH PREJUDICE** the remaining pro-se plaintiffs who failed to file objections or certifications.

**B. Telles v. Pfizer**

The Court **ADOPTS** the recommendation without opposition to deny Pfizer's motion to dismiss the claims of Plaintiff Gloria Telles, to allow Telles's motion to remand, and to remand the case to the Western District of Texas.

**C. Remand**

The Court **ADOPTS** the recommendation without opposition to remand all of the remaining individual products liability actions in this MDL, with the exception of those cases reported settled and awaiting completion of the final settlement papers. Within 15 days of this order, counsel must confer with the clerk's office and produce a list of all individual products liability cases now pending in the MDL divided into two groups: those ready

for remand and those that have been settled but are awaiting completion of the settlement.

/s/ PATTI B. SARIS  
PATTI B. SARIS  
Chief United States District Judge