

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NOS. 5:15CV57-RLV; 3:15CV211-RLV**

ROMONA WINEBARGER,)
and REX WINEBARGER,)
Plaintiffs,)
)
v.)
)
BOSTON SCIENTIFIC)
CORPORATION,)
Defendant.)

MARTHA CARLSON,)
Plaintiff,)
)
v.)
)
BOSTON SCIENTIFIC)
CORPORATION,)
Defendant.)

ORDER CONSOLIDATING CASES FOR TRIAL

THIS MATTER is before the court *sua sponte* for purposes of consolidating the above-referenced civil actions for trial pursuant to Fed. R. Civ. P. 42(a), which permits joining cases for hearing or trial where “actions before the court involve a common question of law or fact.” Fed. R. Civ. P. 42(a)(1).

These cases are transferred to the Western District of North Carolina (the original transferor court) from the Southern District of West Virginia (the original transferee court), *In Re Boston Scientific Corporation Pelvic Repair System Products Liability Litigation, MDL No. 2326*. The undersigned is advised by the transferee court that all pretrial proceedings, including

discovery and dispositive (plus *Daubert*) motion practice, are complete. The transferee judge indicates that these cases are trial-ready, with the exception of sorting through the parties' respective deposition designations. *See* Fed. R. Civ. P. 32(a)(4); MANUAL ON COMPLEX LITIGATION (FOURTH) § 12.33 (2004). It is this Court's intention to consolidate these cases for all purposes, including jury trial, which will be scheduled forthwith.

IT IS HEREBY ORDERED that *Carlson v. Boston Scientific Corporation*, 3:15CV211-RLV be consolidated with *Winebarger v. Boston Scientific Corporation*, 5:15CV57-RLV, which is hereby designated the "Lead Case" for purposes of docketing.

Signed: May 15, 2015

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

