

**UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: DAVOL, INC./C.R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION**

Case No. 2:18-md-2846

**Judge Edmund A. Sargus, Jr.
Magistrate Judge Kimberly A. Jolson**

**This document relates to:
Hernandez v. Davol, Inc., et al.
Case No. 2:20-cv-2078**

ORDER

This matter is before the Court on Plaintiff's unopposed Motion to Substitute Party. (ECF No. 15.) Rule 25 provides that, "[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party." Fed. R. Civ. P. 25(a)(1). "A motion for substitution may be made by any party or by the decedent's successor or representative." *Id.*

Following Plaintiff's death, Cecilio G. Hernandez was appointed the executor of Plaintiff's estate. (ECF No. 15-1.) Plaintiff now moves for the substitution of Cecilio G. Hernandez, as Executor of the Estate of Bertha Hernandez, as the proper plaintiff. (ECF No. 15.) Plaintiff's unopposed Motion to Substitute is **GRANTED**. The Clerk is directed to substitute Cecilio G. Hernandez, as Executor of the Estate of Bertha Hernandez, as Plaintiff in place of Bertha Hernandez.

IT IS SO ORDERED.

**12/14/2023
DATE**

**s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE**