

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BARBARA BOWLES,	:	
Plaintiff,		
v.	:	Case No. 3:12-cv-145
NOVARTIS PHARMACEUTICALS CORPORATION,	:	JUDGE WALTER H. RICE
Defendant.	:	

---

DECISION AND ENTRY SUSTAINING PLAINTIFF'S MOTION TO  
SUBSTITUTE PARTY PLAINTIFF, AND MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINT (DOC. #70); ALLEN WILLIAMS, IN HIS  
CAPACITY AS EXECUTOR OF BARBARA BOWLES'S ESTATE TO BE  
SUBSTITUTED AS PARTY PLAINTIFF; PLAINTIFF TO FILE AMENDED  
COMPLAINT WITHIN 14 DAYS OF THIS DECISION AND ENTRY

---

Plaintiff Barbara Bowles passed away on October 18, 2013. Her brother, Allen Williams, was nominated in her Last Will and Testament as Executor of her Estate. On February 19, 2014, he filed a Notice of Death, and moved to substitute himself, in his capacity as Executor, as the party plaintiff. He also moved for leave to file an Amended Complaint to reflect this change. Doc. #70. Ohio Revised Code § 2305.21 permits a personal representative of a deceased plaintiff's estate to continue litigation that arose from personal injury.

Defendant, Novartis Pharmaceuticals Corporation, objected to Williams's motion only because, at the time it was filed, Williams had not yet been appointed as Executor by the Probate Court of Montgomery County. Doc. #71. That defect

has now been resolved. Probate Court records in Case No. 2014EST00399 indicate that Williams was appointed as Executor of Barbara Bowles's estate on March 11, 2014.

Accordingly, pursuant to Federal Rule of Civil Procedure 25(a), the Court SUSTAINS Plaintiff's Motion to Substitute Party Plaintiff, and Motion for Leave to File Amended Complaint. Doc. #70. Williams shall have 14 days from the date of this Decision and Entry to file his Amended Complaint.

Date: March 14, 2014

  
\_\_\_\_\_  
WALTER H. RICE  
UNITED STATES DISTRICT JUDGE