

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HELEN McLAUGHLIN	:	CIVIL ACTION NO. 14-7315	
	:		
v.	:		
	:		
BAYER ESSURE, INC., et al.	:	NO. 14-7316 (Ruble)	NO. 16-3732 (Gross)
	:	NO. 14-7318 (Stelzer)	NO. 16-3733 (Johnson)
	:	NO. 14-7317 (Strimel)	NO. 16-3766 (Summerlin)
And Related Actions	:	NO. 15-0384 (Walsh)	NO. 16-3767 (Rodvill)
	:	NO. 16-1458 (Dunstan)	NO. 16-3769 (Quinton)
	:	NO. 16-1645 (Clarke)	NO. 16-4081 (Bradford)
	:	NO. 16-1921 (Souto)	NO. 17-2915 (Wistrom)
	:	NO. 16-2166 (Bailey)	NO. 17-3968 (Bobo)
	:	NO. 16-2154 (Campos)	NO. 17-4417 (Guess)
	:	NO. 16-2717 (Bolds)	NO. 17-4936 (Gonzalez)
	:	NO. 16-3049 (Tulgetske)	NO. 18-37 (Jenson)
	:	NO. 16-3409 (Abeyta)	NO. 18-836 (Morua)
	:	NO. 16-3589 (Burgis)	NO. 18-837 (Galan)
	:	NO. 16-3710 (Dong)	NO. 18-838 (Alfaro)
	:	NO. 16-3730 (Mantor)	NO. 18-908 (Archer)
	:	NO. 16-3731 (Olague)	

**ORDER**

**AND NOW**, this 27th day of March, 2019, upon consideration of Defendants’ Motion for Partial Summary Judgment (Docket No. 236 in McLaughlin), all documents submitted in connection therewith, and the hearing held on February 11, 2019, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** insofar as it seeks judgment in Defendants’ favor on (1) all of the claims of Plaintiffs 1, 2, and 12; (2) the tort claims of Plaintiffs 6, 7, and 9; (3) the tort claims seeking damages for the migration of the left coil of Plaintiff 8; (4) all of the warranty claims of Plaintiffs 3, 8, 10, and 11; and (5) the non-extended warranty claims of Plaintiffs 4 and 6.

2. The Motion is also **GRANTED** insofar as it seeks Rule 56(d) discovery with respect to fraudulent concealment that might toll the statute of limitations on Plaintiff 7's warranty claims.
3. The Motion **DENIED** in all other respects.

BY THE COURT:

/s/ John R. Padova, J.

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