

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

HELEN McLAUGHLIN	:	CIVIL ACTION NO. 14-7315	
	:		
v.	:		
	:	NO. 14-7316 (Ruble)	NO. 16-3732 (Gross)
BAYER ESSURE, INC., et al.	:	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 15th day of April, 2020, in accordance with this Court's April 2, 2020 Memorandum and Order, which sustained in part and overruled in part Plaintiffs' and Defendants' Objections to the Special Discovery Master's October 21, 2019 Amended Report and Recommendation, it is **IT IS HEREBY ORDERED** as follows:

1. The Special Master's October 21, 2019 Amended Report and Recommendation is **APPROVED** and **ADOPTED** except as **MODIFIED** by our April 2, 2020 Memorandum and Order.
2. Summary Judgment is **GRANTED** in Defendants' favor on all claims of the following Plaintiffs and the following Plaintiffs are **DISMISSED** as Plaintiffs in their respective actions:
 - a. Caren Aguilar (Abbey, Civ. A. No. 16-3409)

- b. Mikesha Barnett (Wistrom, Civ. A. No. 17-2915, and Bobo, Civ. A. No. 17-3968)¹
- c. E. Nicole Baxley (Alfaro, Civ. A. No. 18-838)
- d. Stacy Bradshaw (Abbey, Civ. A. No. 16-3409)
- e. Lora Schmidt (Rodvill, Civ. A. No. 16-3767)
- f. Jane Cuevas (Bobo, Civ. A. No. 17-3968)
- g. Wendy DeCorte, a.k.a. Wendy Stout (Burgis, Civ. A. No. 16-3589)
- h. Jessica Diffie (Burgis, Civ. A. No. 16-3589)
- i. Tracy Donnette (Archer, Civ. A. No. 18-908)
- j. Stephanie Dorsey (Jenson, Civ. A. No. 18-37)
- k. Jacqueline Evans (Jenson, Civ. A. No. 16-37)
- l. Keanua Felton (Bobo, Civ. A. No. 17-3968)
- m. Tracy Folts (Donahue, Civ. A. No. 16-3710)
- n. Angelique Frances (Jenson, Civ. A. No. 18-37)
- o. Ryan Frausto (Bailey, Civ. A. No. 16-2154)
- p. Stephanie Gramm (Donahue, Civ. A. No. 16-3710)
- q. Alicia Henry (Galan, Civ. A. No. 18-837)
- r. Jody Hermann (Galan, Civ. A. No. 18-837)
- s. Jessica Hollis (Tulgetske, Civ. A. No. 16-3049)
- t. Michelle Hornsby (Jenson, Civ. A. No. 18-37)
- u. Shelly Howard (Bobo, Civ. A. No. 18-3968)

¹ It appears that Plaintiffs' counsel has mistakenly included Mikesha Barnett as a Plaintiff in both Wistrom and Bobo. Accordingly, we dismiss her from both of these actions.

- v. Danielle Johnson (Johnson, Civ. A. No. 16-3733)
- w. Stephanie Johnson (Jenson, Civ. A. No. 18-37)
- x. Carrie Lewis, (Johnson, Civ. A. No. 16-3733)
- y. Rachel Lewis (Jenson, Civ. A. No. 18-37)
- z. Michele McGovern (Jenson, Civ. A. No. 18-37)
- aa. Amanday McVay (Galan, Civ. A. No. 18-837)
- bb. Kimberlee Miller (Mantor, Civ. A. No. 16-3730)
- cc. Clarissa Mimms (Jenson, Civ. A. No. 18-37)
- dd. Theresa Morris (Mantor, Civ. A. No. 16-3730)
- ee. Lynn Myers (Mantor, Civ. A. No. 16-3730)
- ff. Ashley Naranjo (Jenson, Civ. A. No. 18-37)
- gg. Shay Paradis (O'Donnell, Civ. A. No. 16-3731)
- hh. Weina Sampson (Bobo, Civ. A. No. 17-3968)

3. Summary Judgment is **GRANTED** in Defendants' favor on the warranty claims of the following Plaintiffs, and these Plaintiffs may proceed on their tort claims only:

- a. Kristy Byers (Jenson, Civ. A. No. 18-37)
- b. Jennifer DeAlmeida (Wistrom, Civ. A. No. 17-2915)
- c. Charlotte Hillburn (Gonzalez, Civ. A. No. 17-3936)
- d. Jeanne Parker (O'Donnell, Civ. A. No. 16-3731)
- e. Carmen Pierce, a.k.a. Carmen Pendleton (O'Donnell, Civ. A. No. 16-3731)

4. Summary Judgment is **GRANTED** in Defendants' favor on both the warranty claims and the pregnancy-related tort claims of the following Plaintiffs, and these Plaintiffs may proceed on their non-pregnancy-related tort claims only:

- a. Maxine Bell (Jenson, Civ. A. No. 18-37)
 - b. Rani Cooksey (Archer, Civ. A. No. 18-908)
 - c. Leila Cruz (Burgis, Civ. A. No. 16-3589)
 - d. Jennifer DeSoto (Bradford, Civ. A. No. 16-4081)
 - e. Ellen Hanrahan (Gross, Civ. A. No. 16-3732)
 - f. Lashundria Johnson (Johnson, Civ. A. No. 16-3733)
 - g. Danyell Marcelin (Galan, Civ. A. No. 18-837)
5. Summary Judgment is **GRANTED** in Defendants' favor on Plaintiff Shanekia Colbert's warranty claims and tort claims for injuries associated with her right Essure coil, and Ms. Colbert may proceed only on her tort claims for injuries associated with her left Essure coil. (Bradford, Civ. A. No. 16-4081).
6. Summary Judgment is **GRANTED** in Defendants' favor on Plaintiff Andrea Novinger's warranty claims and tort claims for injuries associated with her left Essure coil, and Ms. Novinger may proceed only on her tort claims for injuries associated with her right Essure coil. (Mantor, Civ. A. No. 16-3730).
7. Summary Judgment is **GRANTED** in Defendants' favor on the tort claims of Darlene Giroux, and Ms. Giroux may proceed only on her extended warranty claims. (Donahue, Civ. A. No. 16-3710).

BY THE COURT

/s/ John R. Padova, J.

John R. Padova, J.