

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

TINA R. NORTON, et al.,

Plaintiffs,

v.

Civil Action No. 2:13-cv-019023

BOSTON SCIENTIFIC CORPORATION, et al.,

Defendants.

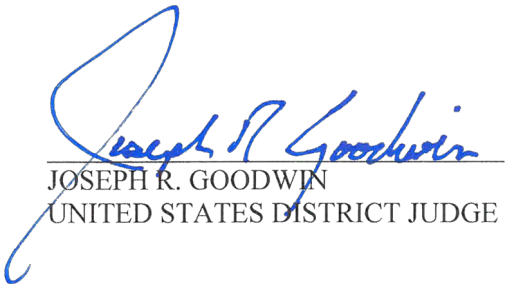
MEMORANDUM OPINION AND ORDER

On June 24, 2020, I entered an order directing plaintiffs to show cause on or before July 23, 2020, why their case should not be dismissed as to Boston Scientific Corporation, C.R. Bard, Inc., Sofradim Production SAS, Tissue Sciences Laboratories Limited, Mentor Worldwide LLC and Coloplast Corp. pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure. The Order was sent to the plaintiffs at their last known address and posted on the court's website.

Plaintiffs have failed to respond to the Show Cause Order. Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), the court finds that the plaintiffs have failed to prosecute their case. The court **ORDERS** that Boston Scientific Corporation, C.R. Bard, Inc., Sofradim Production SAS, Tissue Sciences Laboratories Limited, Mentor Worldwide LLC and Coloplast Corp. are dismissed without prejudice. There are no remaining defendants in this case and therefor, the court further **ORDERS** that the case is **DISMISSED** and **STRICKEN** from the court's active docket. All pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and plaintiffs.

ENTER: July 27, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE