

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

CHARLESTON DIVISION

STEPHANIE BUSCH, *et al.*,

Plaintiffs,

v.

CIVIL ACTION NO. 2:15-cv-03065

BOSTON SCIENTIFIC CORPORATION,

Defendant.

MEMORANADUM OPINION AND ORDER

On October 5, 2020, I entered an order directing plaintiffs to show cause on or before November 4, 2020, why their case should not be dismissed as to Boston Scientific Corporation (“BSC”) for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure.

Plaintiffs have not responded to the Shown Cause Order. The court **ORDERS**, 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), that defendant, BSC, is dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to close the case and strike it from the active docket.

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

ENTER: November 5, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE