

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

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO:

ROSA MARIA DORANTES, et al.

Plaintiffs,

v.

Civil Action No. 2:15-cv-05858

JOHNSON & JOHNSON
ETHICON, INC. and
ETHICON, LLC,

Defendants.

MEMORANDUM OPINION AND ORDER

On November 15, 2018, a Suggestion of Death was filed by plaintiffs' counsel suggesting the death of Ella Kiser during the pendency of this civil action. [ECF No. 69]. Also pending is Defendants' Rule 25(a)(1) Motion to Dismiss and Memorandum of Law in Support filed on March 21, 2019 [ECF No. 74].

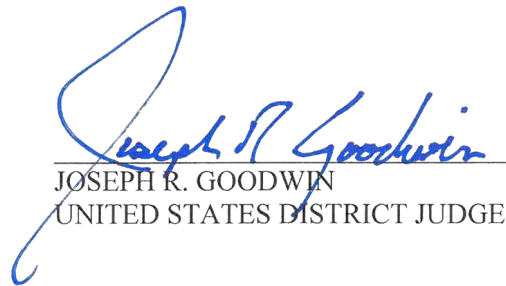
Pursuant to Federal Rule of Civil Procedure 25(a) and Pretrial Order ("PTO") # 308 (Requirements for Counsel to Deceased Plaintiffs) filed in *In re: Ethicon, Inc., Pelvic Repair System Products Liab. Litig.*, 2:12-md-2327 [ECF No. 6218], the time to substitute a proper party for the deceased party has expired and there has been no motion to substitute the deceased party.

The court **ORDERS** that pursuant to Rule 25(a) and PTO # 308, the claims of Ella Kiser are **DISMISSED without prejudice** and Ella Kiser is **STRICKEN** from this case. The court

further **ORDERS** that the Defendants' Rule 25(a)(1) Motion to Dismiss and Memorandum of Law in Support is **DENIED** as moot. Other plaintiffs remain and this case remains pending on the docket as to the other plaintiffs.

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

ENTER: January 16, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE