

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

CHARLESTON DIVISION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL NO. 2325

THIS DOCUMENT RELATES TO

KRISTIN KOPPLIN,

Plaintiff,

v.

Civil Action No. 2:18-cv-00917

AMERICAN MEDICAL SYSTEMS, INC.,

Defendant.

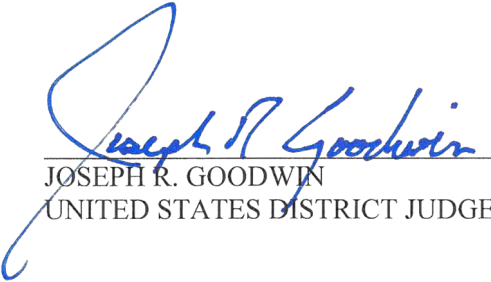
MEMORANDUM OPINION AND ORDER

Plaintiff, Kristin Kopplin's counsel filed this civil action on May 11, 2018 [ECF No. 1]. On September 12, 2019, Defendant American Medical System, Inc. filed a Motion to Dismiss Plaintiff Kristin Kopplin's Complaint Pursuant to PTO 259 and FRCP 25(a)(1) [ECF No. 15]. Filed with the defendant's Motion to Dismiss is a copy of a Certificate of Death of Kristin LaVerne Kopplin with November 25, 2015 as the date of Ms. Kopplin's death [ECF 15-2]. Plaintiff's counsel's response to defendant's Motion to Dismiss confirmed that Ms. Kopplin passed away on November 25, 2015 [ECF No. 17]. Because the plaintiff was deceased prior to the time this case was filed, she cannot bring a lawsuit in her own name. "[A] lawsuit filed in the name of a deceased individual is a nullity over which this Court has no jurisdiction." *In re Engle Cases*, No. 3:09-cv-1000-J-32JBT, 2013 WL 8115442, at *2 (M.D. Fla. Jan. 22, 2013). Accordingly, the court **ORDERS** that this case is **DISMISSED** and **STRICKEN** from the

docket of this court.

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

ENTER: February 7, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE