

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

CHARLESTON DIVISION

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

MDL No. 2327

THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 44
(SHOW CAUSE ORDER REGARDING DISMISSAL OF COLOPLAST A/S,
COLOPLAST MANUFACTURING US, LLC AND PORGES S.A.)**

Pending is a Joint Motion For Order to Show Cause Applicable To All Cases Why The Court Should Not Enter A Stipulated Order Dismissing Certain Defendants From All Cases Without Prejudice, filed April 18, 2013. [ECF 536.] In the Motion, Co-Lead Counsel for Plaintiffs, Co-Lead Counsel for Defendants Coloplast Corp. and Coloplast Manufacturing US, LLC, and Lead Counsel for Defendant Mentor Worldwide US LLC request that the Court issue an Order to Show Cause why the Court should not enter an Order dismissing without prejudice, Coloplast A/S, Coloplast Manufacturing US, LLC, and Porges S.A. from the member cases in this and the other four MDLs assigned to the Court as set forth in the Agreed Order re: Dismissal of Coloplast A/S, Coloplast Manufacturing US, LLC, and Porges S.A. in All Cases, attached hereto as **Exhibit A**.

Having reviewed the Agreed Order Re: Dismissal of Coloplast A/S, Coloplast Manufacturing US, LLC, and Porges S.A. in All Cases jointly submitted by the parties and attached hereto as Exhibit A, as well as the Joint Motion For Order to Show Cause Applicable To All Cases Why The Court Should Not Enter A Stipulated Order Dismissing Certain

Defendants From All Cases Without Prejudice, it is **ORDERED** that the Joint Motion for Order to Show Cause is **GRANTED**. It is further **ORDERED** that Counsel of record for any plaintiff and any *pro se* plaintiff in any case currently pending in MDL Nos. 2187, 2325, 2326, 2327, and 2387 shall file any written opposition to entry of the Order set forth in Exhibit A, by **May 15, 2013**, and shall thereafter be ordered to appear and show cause before this Court on the **May 23, 2013, at 10:00 a.m.** why the Court should not enter the Order set forth in Exhibit A in MDL Nos. 2187, 2325, 2326, 2327, and 2387.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2327 and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:13-cv-08166. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsd.uscourts.gov.

ENTER: April 19, 2013



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE