

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: STRYKER REJUVENATE AND ABGII HIP IMPLANT PRODUCTS LIABILITY LITIGATION
This Document Relates to All Actions

MDL No. 13-2441 (DWF/FLN)

**ORDER ON REQUEST FOR  
PARTIAL RECONSIDERATION  
OF PRETRIAL ORDER NO. 16**

This matter is before the Court on Plaintiffs' request for permission to seek partial reconsideration of Pretrial Order No. 16. (Doc. No. 293.) Defendants oppose Plaintiffs' request. (Doc. No. 312.)

Local Rule 7.1(j) states: "Except with the court's prior permission, a party must not file a motion to reconsider. A party must show compelling circumstances to obtain such permission." D. Minn. LR 7.1(j). Having fully considered the submissions of the parties, the Court concludes that Plaintiffs have failed to demonstrate compelling circumstances sufficient to justify a motion to reconsider the Court's Pretrial Order No. 16 (Doc. No. 279).

The Court finds the safeguards provided by Pretrial Order No. 16 are sufficient to mitigate the risks associated with Plaintiffs' concerns. (*See id.*) Specifically, the Order requires that Defendants obtain a written acknowledgement from each prospective physician-expert who has rendered medical care to a Plaintiff, which requires a signature from the physician acknowledging his or her obligations. (*See id.*) As such, the Court assumes that Plaintiffs' counsel will be made aware in the unlikely event that Defendants

may communicate with a physician-expert regarding the treatment of any potential Plaintiff. (*See id.*; *id.*, Ex. 1.) The Court thus denies Plaintiffs' request.

**ORDER**

Based upon the foregoing, **IT IS HEREBY ORDERED** that Plaintiffs' Request for Partial Reconsideration of PTO 16 (Doc. No. [293]) is **DENIED**.

Dated: May 28, 2014

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge