

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: STRYKER REJUVENATE AND
ABG II HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

MDL No. 13-2441 (DWF/FLN)

Rocky Hale,

Plaintiff,

v. Civil No. 14-2285 (DWF/FLN)

Stryker Corporation, Howmedica Osteonics
d/b/a Stryker Orthopaedics, and Stryker
Sales Corporation,

Defendants.

ORDER

On November 12, 2016, Hurley, McKenna & Mertz Firm, P.C. filed a Notice of Substitution of Counsel in this action and became counsel of record on behalf of Plaintiff Rocky Hale (“Hale”). On June 7, 2016, Hale’s counsel, Michael T. Mertz, of Hurley, McKenna & Mertz, P.C. filed a Motion to Withdraw as Counsel to Plaintiff Rocky Hale (Civil No. 14-2285 (DWF/FLN), Doc. No. 10).¹ In a letter dated August 12, 2016, the Court allowed Hale to respond in writing to the motion within one week. As of the date of this Order, the Court has not received a written response from Hale regarding the withdrawal of counsel.

¹ Plaintiffs’ counsel filed the Motion to Withdraw as Counsel to Plaintiff Rocky Hale only in the individual case (Civil No. 14-2285 (DWF/FLN), Doc. No. 10). The Motion should also have been filed in the master case, MDL 13-2441 (DWF/FLN).

“An attorney who seeks to withdraw otherwise than under LR 83.7(a) or (b) must move to withdraw and must show good cause,” and “[t]he attorney must notify his or her client of the motion.” D.Minn. LR 83.7(c). Based on a review of the file, the Court finds that good cause exists to allow Hurley, McKenna & Mertz, P.C. to withdraw from representing Hale and that Hale has been given notice of Hurley, McKenna & Mertz, P.C.’s motion.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Hurley, McKenna & Mertz, P.C.’s Motion to Withdraw as Counsel to Plaintiff Rocky Hale (Civil No. 14-2285 (DWF/FLN), Doc. No. [10]) is **GRANTED**.
2. Hurley, McKenna & Mertz, P.C., shall inform Hale of the substance of this Order (by U.S. Mail) and provide him with the contact information for the Stryker Lead Counsel Committee. It shall also provide Hale with his file and all case documents, at no cost to him.
3. Hurley, McKenna & Mertz, P.C., shall provide Defendants and Plaintiffs’ Lead Counsel Committee with Hale’s current contact information, including mailing address, telephone numbers, and e-mail address.
4. The Clerk of Court shall mail a copy of this Order to Rocky Hale at 4212 Knoll Drive, Bakersfield, CA 39908 and shall docket his contact information as the same.

Dated: September 22, 2016

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