

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: STRYKER REJUVENATE AND
ABGII HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

MDL No. 13-2441 (DWF/FLN)

This Document Relates to

Janice M. Walker,

Plaintiff,

v. Civil No. 15-136 (DWF/FLN)

Howmedica Osteonics Corp., a New Jersey
Corporation d/b/a Stryker Orthopaedics,

Defendant.

**ORDER DISMISSING ACTION
WITHOUT PREJUDICE**

On June 4, 2015, Plaintiff Janice M. Walker filed a Notice of Voluntary Dismissal. (Civil No. 15-136 (DWF/FLN), Doc. No. [8].)¹ On August 16, 2016, the Court reminded the parties that Amended Pretrial Order No. 29 (MDL No. 13-2441 (DWF/FLN), Doc. No. 642) prohibits the filing of notices of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), and that parties may instead file stipulations of dismissal. (Civil No. 15-136 (DWF/FLN), Doc. No. 9.) The Court then advised the parties that they would have 30 days to file any objections to Plaintiff's Notice, and absent any objections within that time period, the Court would dismiss the case without prejudice. (*Id.*)

¹ Counsel for Plaintiff filed the Notice of Voluntary Dismissal only in the individual case (Civil No. 15-136 (DWF/FLN), Doc. No. 8). The motion should also have been filed in the master case, MDL No. 13-2441 (DWF/FLN).

Because more than 30 days have passed since August 16, 2016, and no party has indicated any objection to Plaintiff's Notice, **IT IS HEREBY ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**, and without fees or costs to any party.

Dated: December 21, 2016

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