

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

IN RE: FLUOROQUINOLONE  
PRODUCTS LIABILITY LITIGATION ) MDL No. 15-2642 (JRT)  
) Hon. Judge John R. Tunheim  
)  
This Document Relates to: )  
)  
Civil Action No. 0:17-cv-01593 (JRT) )  
*Phillips v. Johnson & Johnson, et al.* )  
)  
Civil Action No.0:17-cv-02397 (JRT) )  
*Mills v. Bayer Corporation, et al.* )  
)  
Civil Action No. 0:17-cv-03555 (JRT) )  
*Pelling v. Bayer Corporation, et al.* )  
)  
Civil Action No. 0:17-cv-04037 (JRT) )  
*Moore v. Bayer Corporation, et al.* )

**ORDER TO SHOW CAUSE FOR  
FAILURE TO COMPLY WITH PRETRIAL ORDER**

WHEREAS, pursuant to Pretrial Order No. 7 (Dkt. No. 157), Plaintiffs with pending cases were required to serve a completed and executed Plaintiff Fact Sheet no later than July 20, 2016, and in cases subsequently assigned to this Multidistrict Litigation (“MDL”) Proceeding required to serve a completed and executed Plaintiff Fact Sheet no later than 60 days after the case becomes part of these MDL proceedings;

WHEREAS, Counsel for the Defendants presented the Plaintiffs’ Steering Committee with a list of the Plaintiffs who have failed to provide a Plaintiff Fact Sheet, and whose deadline to do so has passed; and

WHEREAS, the Plaintiffs in the actions identified on Exhibit 1, who were among

the list of Plaintiffs identified for Plaintiffs' Steering Committee on August 8, 2017 (with respect to *Phillips*), October 9, 2017 (with respect to *Phillips* and *Mills*) and November 14, 2017 (with respect to *Phillips*, *Mills*, *Pelling* and *Moore*) have still not provided a Plaintiff Fact Sheet, as required by Pretrial Order No. 7, and the deadline to do so has passed;

**IT IS HEREBY ORDERED** that:

1. On or before December 29, 2017, a copy of this Order shall be sent via email by the Plaintiffs' Steering Committee to Plaintiffs' counsel in the actions identified on Exhibit 1;
2. On or before January 16, 2018, the Plaintiffs identified on Exhibit 1 shall serve the requisite Plaintiff Fact Sheets pursuant to Pretrial Order No. 7; and
3. For each Plaintiff identified on Exhibit 1 who has not served the requisite Plaintiff Fact Sheet pursuant to Pretrial Order No. 7, or otherwise shown cause sufficient to the Court as to why it cannot be provided, within the time period stated above, counsel for Defendants shall submit a proposed Order of Dismissal to the Court and the Court will dismiss, with prejudice, each said case.

DATED: December 21, 2017  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge

## EXHIBIT 1

<b>Case Caption</b>	<b>Civil Action No.</b>	<b>CTO # (identifying case) / Final CTO Filing Date in District of MN</b>
<i>Phillips v. Johnson &amp; Johnson, et al.</i>	0:17-cv-01593	CTO-82/May 15, 2017
<i>Mills v. Bayer Corporation, et al.</i>	0:17-cv-02397	CTO-88/June 30, 2017
<i>Pelling v. Bayer Corporation, et al.</i>	0:17-cv-03555	CTO-91/August 4, 2017
<i>Moore v. Bayer Corporation, et al</i>	0:17-cv-04037	CTO-93/August 30, 2017