

**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)

Bertha H. Gwinn,

Plaintiff,

v. Civil No. 14-4893 (DWF/FLN)

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

Defendants.

**ORDER GRANTING MOTION TO
WITHDRAW AS COUNSEL OF
RECORD WITHOUT SUBSTITUTION
FOR PLAINTIFF
BERTHA GWINN**

On May 8, 2017, Plaintiff's counsel Laura V. Yaeger of Morgan & Morgan filed a Motion to Withdraw as Counsel (Civil No. 14-4893 (DWF/FLN), Doc. No. 10).¹ In a letter dated January 11, 2018, the Court allowed Gwinn to respond in writing to the motion. (Doc. No. 13.) As of the date of this Order, the Court has not received a written response from Gwinn regarding the withdrawal of counsel.

“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

¹ Plaintiff's counsel filed the Motion to Withdraw as Counsel in only the individual case (Civil No. 14-489 (DWF/FLN), Doc. No. 10). The Motion should have been also filed in the master case, MDL 13-2441 (DWF/FLN).

finds that good cause exists to allow Morgan & Morgan to withdraw from representing Gwinn and that Gwinn has been given notice of Morgan & Morgan's motion.

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

1. Morgan & Morgan's Motion to Withdraw as Counsel (Civil No. 14-4893 (DWF/FLN), Doc. No. [10]) is **GRANTED**.

2. Morgan & Morgan shall inform Gwinn of the substance of this Order (by U.S. Mail) and provide her with the contact information for the Stryker Lead Counsel Committee. It shall also provide Gwinn with his file and all case documents, at no cost to her.

3. Morgan & Morgan shall provide Defendants and Plaintiffs' Lead Counsel Committee with Gwinn'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 Bertha Gwinn at P.O. Box 75249, Memphis, TN 38175 and shall docket his contact information as the same.

Dated: February 6, 2018

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