

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

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IN RE: FLUOROQUINOLONE  
PRODUCTS LIABILITY LITIGATION

MDL No. 15-2642 (JRT)  
Hon. Judge John R. Tunheim

This Document Relates to:

Civil Action No. 0:15-cv-03963 (JRT)  
*Winfrey v. Bayer HealthCare  
Pharmaceuticals Inc., et al.*

Civil Action No. 0:17-cv-05044 (JRT)  
*Southerly v. Bayer Corporation, et al.*

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

Pursuant to Pretrial Order No. 7 (Docket 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;

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

The Plaintiffs in the actions identified on Exhibit 1, who were among the list of Plaintiffs identified for Plaintiffs’ Steering Committee on February 28, 2018 and April

18, 2018 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 April 30, 2018, 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 May 15, 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: April 26, 2018  
at Minneapolis, Minnesota.

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

### EXHIBIT 1

<b>Case Caption</b>	<b>Civil Action No.</b>	<b>CTO # (identifying case)/Final CTO Filing Date in Dist. of MN</b>
<i>Winfrey v. Bayer HealthCare Pharms. Inc., et al.</i>	0:15-cv-03963	CTO-10/October 29, 2015
<i>Southerly v. Bayer Corporation, et al.</i>	0:17-cv-05044	CTO-98/November 7, 2017