

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MDL No. 13-2441 (DWF/BRT)

IN RE: STRYKER REJUVENATE AND
ABG II HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

This Document Relates to:

MAXINE BERRYMAN,

Plaintiff,

v. Civil No. 14-3066 (DWF/BRT)

HOWMEDICA OSTEONICS CORP., d/b/a
STRYKER ORTHOPAEDICS, STRYKER
CORP., STRYKER SALES
CORPORATION and STRYKER IRELAND
LIMITED,

Defendants.

ORDER

On March 12, 2020, the Court entered an order in the above captioned matter, (MDL No. 13-2441 (DWF/BRT), Doc. No. [1690]; Civil No. 14-3066 (DWF/BRT), Doc. No. [11]), which required service of documentary proof of decedent's legal estate appointed representative, legal successor or personal representative with authority to act on behalf of the decedent's estate, including specifically confirming documentation of such legal status by March 26, 2020. On March 26, 2020, current counsel for Maxine Berryman filed a motion to substitute a pro se litigant on decedent's behalf and to withdraw as counsel. To date, the identified proposed pro se litigant has not provided the required documentation of legal status to act by appointment on behalf of the decedent's estate, nor was such documentation provided with the pending Motion to Substitute Party

to Continue as Pro Se (MDL No. 13-2441 (DWF/BRT), Doc. No. [1727]; Civil No. 14-3066 (DWF/BRT), Doc. No. [12]), as previously ordered.

IT IS HEREBY ORDERED that:

1. The *Maxine Berryman v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited* matter (MDL No. 13-2441 (DWF/BRT); Civil No. 14-3066 (DWF/BRT)) is hereby **DISMISSED** in its entirety **WITHOUT PREJUDICE** to re-filing in this multidistrict litigation, and without costs to any party.

2. The Motion to Substitute Party to Continue as Pro Se (MDL No. 13-2441 (DWF/BRT), Doc. No. [1727]; Civil No. 14-3066 (DWF/BRT), Doc. No. [12]) is **DENIED AS MOOT.**

Dated: April 22, 2020

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