

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: Stryker Rejuvenate and ABG II Hip
Implant Products Liability Litigation

MDL No. 13-2441 (DWF/BRT)

This Document Relates to:

James P. Niland, IV,

Plaintiff,

v. Civil No. 19-3092 (DWF/BRT)

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

Defendants.

ORDER FOR DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) and the Stipulation of Dismissal filed in this action, (MDL No. 13-2441 (DWF/BRT), (Doc. No. [2060])); Civil No. 19-3092 (DWF/BRT), (Doc. No. [7])),

IT IS HEREBY ORDERED that this action is **DISMISSED WITH PREJUDICE** as to the claims alleged in the Complaint relating to Plaintiff's right hip, and without fees or costs to any party; and

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE** as to the claims alleged in the Complaint relating to Plaintiff's left hip, and without fees or costs to any party. To the extent Plaintiff subsequently seeks to re-file the

action as to the *left* hip arising out of substantially the same facts and circumstances stated in the above-captioned Complaint and against one or more of the Defendants, then such action shall not be commenced in any other venue other than the pending Multi-District Litigation in the United States District Court, District of Minnesota.

Dated: May 5, 2022

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