

**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:

DENNIS MARSHALL and PATRICIA
MARSHALL,

Plaintiffs,

v. Civil No. 20-1889 (DWF/BRT)

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

Defendants.

ORDER

On May 23, 2022 the Court entered an order in the above captioned matter, *Dennis Marshall and Patricia Marshall v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited*, requiring the non-responsive Plaintiffs Dennis and Patricia Marshall to provide a written response to the Court by June 6, 2022 indicating whether or not they consent or object to a voluntary dismissal of the pending lawsuit. (MDL No. 13-2441 (DWF/BRT), Doc. No. 2086); Civil No. 20-1889 (Doc. No. 10) (DWF/BRT)). If no timely response was provided then the Court noted that current counsel for Plaintiffs would be permitted to

withdraw and the matter would be dismissed without further notice. To date, the required response has not been provided to the Court.

ACCORDINGLY, IT IS HEREBY ORDERED that:

1. Current counsel, Bernheim Kelley Battista & Bliss, is hereby relieved as counsel to Plaintiffs Dennis Marshall and Patricia Marshall; and

2. The matter *Dennis Marshall, et al. v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited* (Civil No. 20-1889 (DWF/BRT)) is hereby **DISMISSED** in its entirety **WITHOUT PREJUDICE** to re-filing in this multidistrict litigation only, and without costs to any party.

Dated: June 17, 2022

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