

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

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

MDL No. 13-2441 (DWF/DJF)

This Document Relates to:

Mildred F. Rogers,

Plaintiff,

v. Civil No. 14-2881 (DWF/DJF)

Howmedica Osteonics Corp., *d/b/a* Stryker
Orthopaedics, Stryker Corp., Stryker Sales
Corporation and Stryker Ireland Limited,

Defendants.

ORDER

Plaintiff Mildred F. Rogers is the named Plaintiff in the above captioned case pending in this MDL since 2014. The case was filed as an Unrevised Plaintiff case and the Court has been informed that Plaintiff Rogers had enrolled in the prior 2014 Settlement Program as a Covered Unrevised Infirm (CUI) claim and was determined to be ineligible. Plaintiff Rogers is deceased since 2022, but no suggestion of death or substitution has ever been filed, and no change in revision status was ever claimed.

In further management of this MDL docket, and given the overall docket of this MDL and the last known status of the above captioned case, the Court requires further information.

ACCORDINGLY, IT IS HEREBY ORDERED that:

1. The following notice is issued to the estate or appointed legal representative of the deceased, unrevised and CUI ineligible Plaintiff in the above captioned, *Mildred F. Rogers v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited* matter (MDL No. 13-2441 (DWF/DJF); Civil No. 14-2881 (DWF/DJF)).

2. The estate or appointed legal representative of the deceased, unrevised and CUI ineligible Plaintiff Mildred F. Rogers must respond to the Court (to be communicated through current counsel) addressing each of the following inquiries:

(i) identify the decedent's legal estate, successor or personal representative with legal authority to act on behalf of the decedent's estate (including confirming documentation of such legal status), and (ii) given the unrevised and ineligible status of the decedent at the time of death, state whether or not the legal estate, successor or personal representative with legal authority to act on behalf of the decedent's estate consents to a dismissal of this litigation. If the legal representative rejects dismissal and affirmatively chooses to continue the litigation on behalf of the decedent then the legal representative must file the following (through current counsel) within 14 days of this Order: (i) a motion to substitute decedent's legal estate, successor or personal representative as Plaintiff in the matter (including confirming documentation of such legal status); and (ii) identification of counsel or substituting counsel for the Estate or legal representative, or, if no counsel, then a statement of the intention of the legal successor or appointed representative to proceed pro se with the litigation.

3. If no response to this Order is received by the Court within 14 days, or if the remaining requirements of this Order are not timely satisfied, then the captioned *Mildred F. Rogers v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited* matter will be dismissed with prejudice, and without further notice.

Dated: January 27, 2026

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