

**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:

Tommie Sue McCranie Brooks and Gerald R.
Brooks,

Plaintiffs,

v. Civil No. 13-2924 (DWF/DJF)

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

Defendants.

ORDER

In further management of its docket, the Court previously entered Pretrial Order No. 42 (“PTO #42”) (MDL No. 13-2441 (DWF/DJF), (Doc. No. [1394])) establishing certain mandatory tolling election response obligations on the part of Unrevised Plaintiffs in this multidistrict litigation. PTO #42 contemplated future discovery obligations of those Unrevised Plaintiffs who affirmatively rejected the dismissal with tolling terms outlined in PTO #42. Currently, only two Unrevised Plaintiff cases with tolling rejections remain pending. One such remaining Unrevised Plaintiff matter, which was filed in 2013 and rejected dismissal with tolling in 2019, is the above captioned *Tommie Sue McCranie Brooks, et al. v. Howmedica Osteonics Corp., et al.* matter.

As part of its continued management of this MDL docket, and given the overall docket of this MDL and the last known Unrevised Plaintiff status of this case, the Court requires further information.

ACCORDINGLY, IT IS HEREBY ORDERED that:

1. In anticipation of ordering certain future discovery obligations on Unrevised Plaintiffs, as contemplated in PTO #42, the following notice is issued in the above captioned matter: The captioned Plaintiffs are required to file a written statement to the Court indicating whether they consent to a voluntary dismissal of their case. A copy of the written statement must also be served on lead counsel for the parties in this MDL, Peter J. Flowers, Esq. (Meyers & Flowers) for Plaintiffs, and Kim M. Catullo (Gibbons P.C.) for Defendants.

2. The deadline for filing of the written statement is within 14 days of this Order. If no response to this Order is filed by the stated deadline, the matter will be dismissed without further notice.

3. If voluntary dismissal is timely rejected as set forth above, the Court will issue a further order setting forth the immediate discovery disclosures required of the Unrevised Plaintiff.

Dated: January 27, 2026

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