

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:

PEGGY JO L. GABLE and CARL GABLE,

Plaintiff,

Civil No. 23-cv-00673 (DWF/DJF)

vs.

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

Defendants.

ORDER

In further management of *In Re: Stryker Rejuvenate and ABG II Hip Implant Products Liability Litigation* (MDL No. 13-2441), the Court has entered certain Orders requiring status reports from lead counsel and the good faith cooperation of all counsel and claimants with pending unresolved MDL cases for purposes of such status reports.

Through the docket review process and status update activities, the Court is aware of the above captioned *Peggy Jo L. Gable, et al.* case (Civil No. 23-00673) and notes the following regarding the *Gable* case, specifically:

The above captioned case has been pending in this MDL since 2023. The Court has been informed that, based upon the pleadings and initial information, the claim would be ineligible for the most recent settlement program. The Court also is aware that as part of the status reports required of MDL leadership, which required outreach to case counsel, no response concerning the Plaintiffs' intention regarding the captioned matter has been provided.

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

ACCORDINGLY, IT IS HEREBY ORDERED that:

1. In anticipation of ordering certain future discovery obligations, the following notice is issued in the above captioned matter: The named Plaintiffs themselves are required to provide a written statement to the Court, filed through their current counsel, indicating whether they consent to a voluntary dismissal without prejudice of the pending 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 (FBT Gibbons) for Defendants.

2. The deadline for filing of Plaintiffs' written statement is within 14 days of this Order.

3. If voluntary dismissal is timely rejected by the Plaintiffs themselves as set forth above, then the Court will issue a further order requiring additional information and setting forth the immediate discovery disclosures required of the Plaintiffs.

4. If the Court is not in receipt of a response from the Plaintiffs within 14 days, or if the remaining requirements of this Order are not timely satisfied, then the captioned *Peggy Jo L. Gable, et al. v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited* matter will be dismissed without prejudice and without further notice.

Dated: June 16, 2026

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