

**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:

AMANDA JACKSON RYLES, as Personal
Representative of the Estate of CARDIEL
JACKSON LEWIS, deceased

Plaintiff,

v. Civil No. 14-2647 (DWF/BRT)

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, on September 12, 2019 the Court entered Pretrial Order No. 42 (“PTO #42”) (MDL No. 13-2441 (DWF/BRT), Doc. No. [1394]) establishing certain mandatory tolling election response obligations on the part of Unrevised Plaintiffs in this multidistrict litigation. On January 15, 2020 the Court also entered Pretrial Order No. 44 Regarding Pending and Future Requests to Withdraw as Counsel in this MDL (“PTO#44”) (MDL No. 13-2441 (DWF/BRT), Doc. No. [1567]). Pursuant to PTO #44, counsel in the above captioned, *Amanda Jackson Ryles, as personal Representative of the Estate of Cardiel Jackson Lewis, deceased v. Howmedica*

Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited, matter filed the required notice with the Court (MDL No. 13-2441 (DWF/BRT), Doc. No. [1677]; Civil No. 14-2647 (DWF/BRT), and also filed a Renewed Motion to Withdraw as Counsel Without Substitution. (MDL No. 13-2441 (DWF/BRT), Doc. No. [1678]; Civil No. 14-2647 (DWF/BRT).

The Court has been advised that the decedent, Cardiel Jackson Lewis, died in 2013 with the modular stem product at issue in this MDL still unrevised. As such, at the time of death, the decedent would be considered an Unrevised Plaintiff.

IT IS HEREBY ORDERED that:

1. The following notice is issued to Amanda Jackson Ryles, who has represented herself to be the legal personal representative of the estate of Cardiel Jackson Lewis¹ in the above captioned *Amanda Jackson Ryles, as personal Representative of the Estate of Cardiel Jackson Lewis, deceased v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited*, (MDL No. 13-2441 (DWF/BRT); Civil No. 14-2647). Ms. Jackson Ryles is required to provide the following to the Court within 14 days of this Order (to be communicated through current counsel): (1) given the Unrevised Plaintiff status of the decedent at the time of death in 2013, a written statement indicating whether or not the legal estate, successor or personal representative with legal authority to act on behalf of the

¹ The Court notes that the decedent's name has appeared in filings as both "Cardiel Jackson-Lewis" and "Cardiel Lewis-Jackson." No disrespect is intended if the wrong name is used in this Order.

decedent's estate consents to a dismissal of this litigation. If not, and the legal representative chooses to continue the litigation then the legal representative must file the following (through current counsel) within 14 days of this Order: A statement in writing indicating whether or not you oppose or support the request by your current counsel to withdraw from this action. If you support the withdrawal of counsel, then identification of substituting counsel who must then immediately file a notice of appearance with the court, or, if no new counsel is retained, then a statement of the intention of the legal successor or appointed representative to proceed pro se with the litigation and a notice of appearance as a pro se plaintiff; and

2. If no response to this Order is received within 14 days, then current counsel will be permitted to withdraw and the *Amanda Jackson Ryles, as personal Representative of the Estate of Cardiel Jackson Lewis, deceased v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited*, matter will be **DISMISSED** in its entirety **WITHOUT PREJUDICE**, without further notice.

Dated: March 13, 2020

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