

**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:

JEAN MURRAY,

Plaintiff,

v. Civil No. 15-2655 (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 January 15, 2020 the Court entered Pretrial Order No. 44 Regarding Pending and Future Requests to Withdraw as Counsel and the Suggestion of Death obligations in this MDL (“PTO#44”). (MDL No. 13-2441 (DWF/BRT), Doc. No. [1567]). Pursuant to PTO #44, counsel in the above captioned matter, *Jean Murray v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited*, filed the required notice with the Court (MDL No. 13-2441 (DWF/BRT), Doc. No. [1846]; Civil No. 15-2655 (DWF/BRT), Doc. No. [11]) and also filed a Suggestion of Death indicating that the

Plaintiff Jean Murray was deceased. (MDL No. 13-2441 (DWF/BRT), Doc. No. [1822]; Civil No. 15-2655 (DWF/BRT), Doc. No. [10]).

IT IS HEREBY ORDERED as follows:

1. The following notice is issued to the estate or appointed legal representative(s) of the named Plaintiff in the *Jean Murray v. Howmedica Osteonics Corp., d/b/a Stryker Orthopaedics, Stryker Corp., Stryker Sales Corporation and Stryker Ireland Limited* matter (MDL No. 13-2441 (DWF/BRT); Civil No. 15-2655) requiring that the identified information be provided to the Court (*to be communicated through current counsel*) within fourteen (14) days hereof :

(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) State if 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 not, and the legal representative 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: (1) 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 (2) identification of substituting counsel, or, if no counsel, then a statement of the intention of the legal successor or appointed representative to proceed pro se with the litigation.

2. If no response to this Order is received within 14 days, then current counsel will be permitted to withdraw and the *Jean Murray 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 further notice.

Dated: May 6, 2022

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