

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

MIRENA IUD PRODUCTS LIABILITY LITIGATION

This Document Relates To All Actions
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ORDER No. 24B
(Pleadings in
Disposition Pool
Cases)

13-MD-2434 (CS)
13-MC-2434 (CS)

Seibel, J.

The Court hereby issues the following Order concerning the filing of pleadings in cases selected for the disposition pools:

A. In the two Initial Disposition Pool actions that have been selected for trial – *Jennifer Danley*, 13-cv-6586, and *Christie Hayes*, 14-cv-288 – Defendants shall file responsive pleadings to the plaintiffs’ complaints by no later than **November 2, 2015**.

B. For cases selected for the Second Disposition Pool (“SDP”), pursuant to Order 24A (Amended Case Management Order Re: Second Disposition Pool Selection Process) (Docs. 2401 in 13-MD-2434 and 114 in 13-MC-2434) and the Court’s Order of July 1, 2015 (making random SDP selections) (Docs. 2479 in 13-MD-2434 and 119 in 13-MC-2434), the plaintiffs are hereby granted leave to file amended complaints.

C. For the initial batch of cases selected for the SDP by the Court and the parties on July 1 and 2, 2015, respectively, the deadline to do so was **September 3, 2015**.

D. In any current case that was selected for the SDP as a replacement case after July 2, 2015, the plaintiff shall have (or has had) **30 days** from the date of selection to the SDP or until **September 3, 2015** (whichever deadline is later) to file an amended complaint. In any case subsequently selected for the SDP on or after the date of entry of this Order, the plaintiff similarly will have **30 days** from the date of selection to the SDP to file an amended complaint.

E. SDP complaints filed and served upon Bayer Healthcare Pharmaceuticals, Inc., prior to February 26, 2014, may be amended pursuant to Order No. 14 (Docs. 707 in 13-MD-2434 and 51 in 13-MC-2434) for the purpose of adding Defendants Bayer OY and Bayer Pharma AG. Any such amendment must have been completed by **September 3, 2015** or, for any case selected for the SDP as a replacement case after July 2, 2015, must be completed **30 days** from the date of selection to the SDP. Service of amended complaints on Bayer OY and Bayer Pharma AG shall be effected in accordance with Order No. 13 (Docs. 706 in 13-MD-2434 and 50 in 13-MC-2434) and Order No. 14.

F. In any current case that was selected for the SDP prior to entry of this order, Defendants shall have 60 days from the date of selection to the SDP or until **November 2, 2015** (whichever deadline is later) to respond to the SDP Plaintiffs' amended complaints (or complaints, in the case of any SDP plaintiff who has not filed or does not file an amended complaint).

G. In the case of any plaintiff whose action is selected for the SDP as a replacement case on or after the date of entry of this Order, Defendants shall have **60 days** to file a responsive pleading.

SO ORDERED.

Dated: October 8, 2015
White Plains, New York



CATHY SEIBEL
United States District Judge