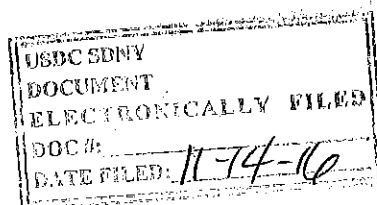


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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IN RE:

MIRENA IUD PRODUCTS LIABILITY
LITIGATION

This Document Relates To All Actions
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ORDER NO. 32
(Cases Transferred to MDL
During Appeal)
13-MD-2434 (CS)
2 13-MC-2434

**CASE MANAGEMENT ORDER RE:
CASES TRANSFERRED TO MDL DURING APPEAL**

Seibel, J.

1. This Order shall apply to cases transferred to this Court after the Court's Opinion and Order dated July 28, 2016, granting summary judgment to Defendants in all cases pending in MDL No. 2434 ("Summary Judgment Order").
2. On August 19, 2016, Plaintiffs filed a Notice of Appeal of the Summary Judgment Order. That appeal is currently pending in the Second Circuit.
3. It is hereby ordered that:
 - a. Plaintiffs whose claims are transferred to MDL 2434 while the Second Circuit appeal of the Summary Judgment Order is pending shall be conditionally dismissed without prejudice pending the Second Circuit's decision on the appeal.
 - b. If the Second Circuit affirms the Court's Summary Judgment Order in its entirety, and any further petition for rehearing or certiorari is unsuccessful and the decision becomes final, Plaintiffs whose claims were conditionally dismissed shall have 60 days to show cause as to why her claim should not be dismissed with prejudice under the Summary Judgment Order. Defendants may respond within 30 days.

The Court will dismiss with prejudice the claims of any Plaintiff who does not file

a show-cause brief within 60 days or who is unable to show cause as to why her claim should not be dismissed.

- c. If the Second Circuit reverses the Summary Judgment Order in whole or in part, and any further petition for rehearing or certiorari is unsuccessful and the decision reversing the Summary Judgment Order becomes final, then the Court will enter an order reinstating the claims of the Plaintiffs whose claims were conditionally dismissed without prejudice. Defendants agree that the original filing date of those claims would govern for statute of limitations purposes if Plaintiffs' claims are reinstated in the MDL.

IT IS SO ORDERED.

Dated: 11/10, 2016

White Plains, NY



CATHY SEIBEL, U.S.D.J.