

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**Case No. 1:08-MD-01928-MIDDLEBROOKS/JOHNSON**

**IN RE TRASYLOL PRODUCTS  
LIABILITY LITIGATION – MDL-1928**

**THIS DOCUMENT RELATES TO:**

*See Exhibit A*

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**ORDER TO SHOW CAUSE**

Pretrial Order (“PTO”) No. 28 requires all personal injury plaintiffs to serve upon Defendants an Initial Report or a medical expert report pursuant to Federal Rule of Civil Procedure 26(a)(2), along with relevant medical records specified in PTO 28. PTO 28 further provides, in § III, that Defendants may advise the Court of plaintiffs from whom no such submissions have been received by the deadline established in § II. The Court will dismiss such cases if the discovery deficiencies are not promptly cured. In accordance with PTO 28, Defendants submitted a Dismissal List filed March 16, 2012, of Group 11 Deficient Cases (D.E. 12223 in 1:08-md-01928), which is attached to this Order as Exhibit A and a Dismissal List filed May 8, 2012, of Additional Group 11 Deficient Cases [D.E. 12500 in 1:08-md-01928], which is attached to this Order as Exhibit B.

IT IS THEREFORE ORDERED that unless a plaintiff listed on the attached Dismissal List, within ten (10) days of entry of this Order, either (1) cures the deficiency with a submission as defined in § I of PTO 28, or (2) responds to this Order to Show Cause, the Court will dismiss his or her case. After the expiration of this ten (10) day period, Defendants shall submit proposed orders dismissing with prejudice any plaintiff on the attached Dismissal List who has not complied with this Order.

DONE AND ORDERED in Chambers, at West Palm Beach, Florida, this 16th day of  
May, 2012.

A handwritten signature in black ink, appearing to read "Donald M. Middlebrooks". The signature is fluid and cursive, with a large initial "D" and "M".

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DONALD M. MIDDLEBROOKS  
UNITED STATES DISTRICT JUDGE

Exhibit A  
to Defendants' March 16, 2012 Notice of Group 11 Deficient Cases  
Pursuant to Pretrial Order No. 28

Initial Reports: Non-Compliant Plaintiffs for Group 11  
(Due January 13, 2012)

Cases Where a Bayer Entity Has Been Served, and No Report (§ I(A) or (B)) Has Been Submitted

No.	Plaintiff Name	Case No.	Counsel
	Armbruster, Benjamin Franklin	9:09-cv-82179	Jensen Belew & Gonzalez PLLC
	Armstrong, Bruce, II, for Estate of Bruce Armstrong	9:09-cv-82180	Jensen Belew & Gonzalez PLLC
	Haefner, Donald (part of <i>Barfield, et al.</i> )	9:10-cv-80105	Ury & Moskow LLC Jensen Belew & Gonzalez PLLC
	DeGraffinreed, Gloria, for Estate of Thomas DeGraffinreed (part of <i>Benford, et al.</i> )	9:10-cv-80149	Ury & Moskow LLC Monsour Law Firm
	Casey, Regina, for Estate of Annie Casey	9:09-cv-82153	Tor Hoerman Law LLC
	Ciucci, Dino and Deeva	9:09-cv-82419	Aylstock Witkin Kreis & Overholtz, PLLC
	Clark, William, Sr., for Estate of William Clark	9:09-cv-82206	Jensen Belew & Gonzalez PLLC
	Cody, Dale, for Estate of Nancy Cody (part of <i>Cody, et al.</i> )	9:10-cv-80090	Ury & Moskow LLC Jensen Belew & Gonzalez PLLC
	Gonzalez, Yvonne, for Estate of Moises Gonzalez (part of <i>Cody, et al.</i> )	9:10-cv-80090	Ury & Moskow LLC Jensen Belew & Gonzalez PLLC
	Fitzherbert, John, and Kara Szczepanski for Estate of Kyle Fitzherbert	9:10-cv-80094	Ury & Moskow LLC Lanier Law Firm

## Initial Reports: Non-Compliant Plaintiffs for Group 11

	Toney, Julie, for Estate of John Anderson (part of <i>Hargrove, et al.</i> )	9:10-cv-80113	Ury & Moskow LLC Jensen Belew & Gonzalez PLLC
	Wallace, Keith, for Estate of Margaret Wallace (part of <i>Hargrove, et al.</i> )	9:10-cv-80113	Ury & Moskow LLC Jensen Belew & Gonzalez PLLC
	Herring-Mazzore, Pamela, for Estate of Clifton Herring	9:09-cv-82191	Jensen Belew & Gonzalez PLLC
	Kern, Kenneth, for Estate of John F. Kern	9:09-cv-82214	Jensen Belew & Gonzalez PLLC
	Mallory, Angela, for Estate of Myra Waller	9:09-cv-82243	Jensen Belew & Gonzalez PLLC
	Beall, Vernon (part of <i>McElroy, et al.</i> )	9:10-cv-80152	Ury & Moskow LLC Jensen Belew & Gonzalez
	Perez, Johnny (part of <i>McElroy, et al.</i> )	9:10-cv-80152	Ury & Moskow LLC Jensen Belew & Gonzalez
	Morris, Willie Mae	9:09-cv-82420	Aylstock Witkin Kreis & Overholtz, PLLC
	Morrison, Alma Jean, for Estate of Barbara Moore	9:09-cv-82228	Jensen Belew & Gonzalez PLLC
	Dyer, Glen (part of <i>Moyer, et al.</i> )	9:10-cv-80109	Ury & Moskow LLC Jensen Belew & Gonzalez PLLC
	Newsome-James, Jacinta, for Estate of Bernice Newsome	9:09-cv-82172	Tor Hoerman Law LLC
	Osborn, Tennyson, for Estate of Harold Osborn	9:09-cv-82181	Jensen Belew & Gonzalez PLLC
	Paden, Peggy, for Estate of Tina Paden	9:09-cv-82182	Jensen Belew & Gonzalez PLLC
	Pizura, John, for Estate of Martha Pizura	9:09-cv-82226	Jensen Belew & Gonzalez PLLC

## Initial Reports: Non-Compliant Plaintiffs for Group 11

	Ray, Kelly, for Estate of Tracy Ray	9:09-cv-82225	Jensen Belew & Gonzalez PLLC
	Soloman, Barbara, for Estate of Bennie Solomon	9:09-cv-82245	Jensen Belew & Gonzalez PLLC
	Tweedt, Wayne R.	9:09-cv-82146	Jensen Belew & Gonzalez PLLC
	Walter, Mary Louise, for Estate of Timothy Walter	9:09-cv-82236	Jensen Belew & Gonzalez PLLC
	Walton, Deborah, for Estate of Shaun Walton	9:09-cv-82242	Jensen Belew & Gonzalez PLLC
	Williams, Kenneth, for Estate of Miriam Williams	9:09-cv-82240	Jensen Belew & Gonzalez PLLC
	Williams, Wayne	9:09-cv-82158	Jensen Belew & Gonzalez PLLC

Cases Where No Bayer Entity Has Been Served, and No Report (§ I(A) or (B)) Has Been Submitted

No.	Plaintiff Name	Case No.	Counsel
1.	Keen, Sharon, for Estate of Lois L. Thacker	9:09-cv-82265	Becnel Law Firm LLC
	Seiber, Mary B., for Estate of Larry D. Seiber	9:09-cv-82258	Lanier Law Firm LLC

## Exhibit B

to Defendants' May 8, 2012 Notice of Additional Group 11  
Deficient Cases Pursuant to Pretrial Order No. 28

Initial Reports: Additional Non-Compliant Plaintiffs for Group 11  
(Due January 13, 2012)

Cases Where a Bayer Entity Has Been Served, and No Report (§ I(A) or (B)) Has Been Submitted

No.	Plaintiff Name	Case No.	Counsel
1.	Crow, Vitoria, for Estate of Shirley Weaver	9:09-cv-82063	Jensen Belew & Gonzalez PLLC
2.	Dalby, Deborah, for Estate of James Dalby	9:09-cv-81739	Jensen Belew & Gonzalez PLLC
3.	Davila, Cynthia, for Estate of Armando Sanchez	9:09-cv-81962	Jensen Belew & Gonzalez PLLC
4.	Grissom, Natha, for Estate of Joe Grissom	9:09-cv-81785	Jensen Belew & Gonzalez PLLC
5.	Laster, Debra, for Estate of Larry Laster	9:09-cv-81861	Jensen Belew & Gonzalez PLLC
6.	Ooten, Roger, for Estate of Nan Smith	9:09-cv-81981	Jensen Belew & Gonzalez PLLC
7.	Pontolillo, Linda, for Estate of Thomas Pontolillo	9:09-cv-81944	Jensen Belew & Gonzalez PLLC

## Initial Reports: Non-Compliant Plaintiffs for Group 11

8.	Ramirez, Raul, for Estate of Beatrice Ramirez	9:09-cv-81959	Jensen Belew & Gonzalez PLLC
9.	Ruiz, Isidro	9:09-cv-82128	Jensen Belew & Gonzalez PLLC
10.	Schmidgall, Norma, for Estate of Earl Schmidgall	9:09-cv-81965	Jensen Belew & Gonzalez PLLC
11.	Schreiman, Karen, for Estate of Harry Schreiman	9:09-cv-81966	Jensen Belew & Gonzalez PLLC
12.	Sharma, Rashmi, for Estate of Atulkumar Sharma	9:09-cv-81968	Jensen Belew & Gonzalez PLLC
13.	Smith, Cloteal	9:09-cv-82133	Jensen Belew & Gonzalez PLLC
14.	Sooy, Bertha G., for Estate of Lawrence Sooy	9:09-cv-81988	Jensen Belew & Gonzalez PLLC
15.	Spetsiotis, Kim, for Estate of Farrell Lindsey	9:09-cv-81873	Jensen Belew & Gonzalez PLLC
No.	Plaintiff Name	Case No.	Counsel
16.	Sussman, Rhoda, for Estate of Francis Cohen	9:09-cv-81730	Jensen Belew & Gonzalez PLLC
17.	Sweeney, Stacy, for Estate of Michael Hallock	9:09-cv-81791	Jensen Belew & Gonzalez PLLC

## Initial Reports: Non-Compliant Plaintiffs for Group 11

No.	Plaintiff Name	Case No.	Counsel
18.	Thornton, Aubrey, for Estate of Mitchell Warner	9:09-cv-82059	Jensen Belew & Gonzalez PLLC
19.	Trudell, Shaya, for Estate of Gabriel Trudell	9:09-cv-82031	Jensen Belew & Gonzalez PLLC
20.	Valentine, Willie Mae, for Estate of Frank Valentine	9:09-cv-82016	Jensen Belew & Gonzalez PLLC
21.	Ward, Chentey, for Estate of Irene Ward	9:09-cv-82058	Jensen Belew & Gonzalez PLLC