

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

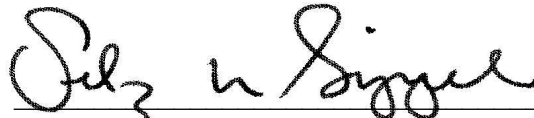
IN RE NUVARING PRODUCTS) 4:08MD1964 RWS
LIABILITY LITIGATION)
) ALL CASES

ORDER

Defendants have moved to strike or dismiss the class action allegations (¶¶ 16-23) in Plaintiffs' master consolidated complaint. Plaintiffs do not oppose the dismissal of the class action paragraphs but request that the dismissal be without prejudice. Although class action allegations are typically not amenable to multiple personal injury claims resulting from a prescription medical product I will allow these allegations to be dismissed without prejudice at present. I am confident that the parties can fully litigate the propriety of any future class action claims if and when they are reasserted.

Accordingly,

IT IS HEREBY ORDERED that Defendants' motion to dismiss the class action allegations in the master consolidated complaint [#135] is **GRANTED**.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 19th day of May, 2009.