

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :
FOSAMAX PRODUCTS LIABILITY LITIGATION :
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This document relates to: :
Audrey Minzner v. :
Merck & Co., Inc., :
No. 08 Civ. 7109 (JFK) :
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Master File No.
06 MD 1789 (JFK)

ORDER

JOHN F. KEENAN, United States District Judge:

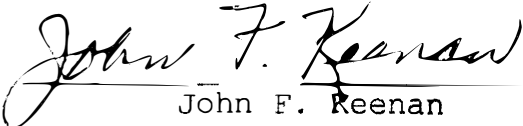
On September 17, 2014, this Court granted Aylstock, Witkin, Kreis & Overholtz, PPLC's motion to withdraw as counsel for Plaintiff and stayed Plaintiff's action until November 3, 2014 to allow her time to retain new counsel. Also on September 17, 2014, the Court entered a Lone Pine order directing Plaintiff to provide, inter alia, an expert report by January 5, 2015.

Plaintiff failed to timely respond to the Lone Pine order by the January 5, 2015 deadline. By letter dated February 18, 2015, Merck notified Plaintiff of her failure to comply with the Court's order. Pursuant to the September 17, 2014 Lone Pine order, the letter also informed Plaintiff that she had until March 9, 2015 to show cause why her complaint should not be dismissed with prejudice. Plaintiff's letter was returned to Merck with a forwarding address. Merck sent a new letter to Plaintiff on March 2, 2015, informing her that she had until March 20, 2015 to show cause.

Plaintiff has failed to show cause why her complaint should not be dismissed with prejudice for failing to comply with the Lone Pine order. Therefore, the Court dismisses Plaintiff's complaint with prejudice.

SO ORDERED.

Dated: New York, New York
May 7, 2015



John F. Keenan
United States District Judge