

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DOCUMENT ELECTRONICALLY FILED

IN RE HUMAN TISSUE PRODUCTS : **Civil No. 2:06-cv-135 (WJM)**
LIABILITY LITIGATION :
: **MDL Docket No. 1763**


THIS DOCUMENT ALSO RELATES TO: :
: ***Cheryl Bowie v. Medtronic Inc., et al., Civil Action*** :
No. 2:08-cv-04311 :

LIMITED STIPULATION AND ORDER FOR DISMISSAL AND FOR REMAND

This matter having been raised by the Order to Show Cause filed by the Court on December 8, 2009 (MDL Doc. No. 836), and the matter having been amicably adjusted by and between the parties, it is hereby STIPULATED and AGREED that any and all claims that were raised, or that could have been raised, by or on behalf of Plaintiff, Cheryl Bowie, in the United States Court of Appeals for the Third Circuit, *sub nom* IN RE HUMAN TISSUE PRODUCTS LIABILITY LITIGATION, Doc. No. 09-1458, are hereby dismissed with prejudice and the appeal as to her claims is withdrawn; and as to the remaining claims including the "bone failure" claims asserted by Plaintiff and administratively stayed by the MDL, it is hereby STIPULATED and AGREED that the parties will not oppose the CONDITIONAL REMAND ORDER for remand to the District of Alaska entered by the United States Judicial Panel on Multidistrict Litigation on January 6, 2010 attached as Exhibit "A" hereto.


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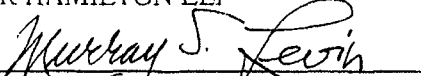
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Attorneys for Defendant
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Dated: January 20, 2010

Dated: January 20, 2010

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Attorneys for Medtronic Inc.

Dated: January 20, 2010

IT IS SO ORDERED this _____ day of January, 2010:

William J. Martini, U.S.D.J.

Exhibit “A”

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Jan 06, 2010

FILED
CLERK'S OFFICE

IN RE: HUMAN TISSUE PRODUCTS
LIABILITY LITIGATION

Cheryl Bowie v. Medtronic, Inc., et al., D. New Jersey,
C.A. No. 2:08-4311 (D. Alaska, C.A. No. 3:08-90)

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MDL No. 1763

CONDITIONAL REMAND ORDER

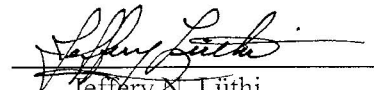
The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the action on this conditional remand order has been completed and that remand to the transferor court, as provided in 28 U.S.C. §1407(a), is appropriate.

IT IS THEREFORE ORDERED that the action on this conditional remand order be remanded to the United States District Court for the District of Alaska.

IT IS ALSO ORDERED that, pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001) (Rules), the transmittal of this order to the transferee clerk for filing shall be stayed 14 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the District of New Jersey.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), the parties shall furnish the Clerk for the District of New Jersey with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

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CERTIFICATE OF SERVICE

I, Richard E. Wegryn, Jr., certify that a true and correct copy of the foregoing Limited Stipulation And Order For Dismissal And For Remand was electronically served on all counsel via ECF filing on January 21, 2010.

/s/ Richard E. Wegryn, Jr.
RICHARD E. WEGRYN, JR.

General Information

Court	United States District Court for the District of New Jersey; United States District Court for the District of New Jersey
Federal Nature of Suit	Personal Injury - Product Liability[365]
Docket Number	2:06-cv-00135
Status	CLOSED