

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

**IN RE: TYLENOL  
(ACETAMINOPHEN) MARKETING,  
SALES PRACTICES AND  
PRODUCTS LIABILITY  
LITIGATION**

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**MDL NO. 2436**

**2:13-md-02436**

**HON. LAWRENCE F. STENGEL**

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This Document Relates to:

Civil Action No. 2:12-cv-07263

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Rana Terry, as Personal Representative  
and Administrator of the Estate of Denice  
Hayes, Deceased,

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Plaintiff,

vs.

McNEIL-PPC, Inc., McNeil Consumer  
Healthcare, and Johnson & Johnson, Inc.,

Defendants.

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**ORDER**

**AND NOW**, this 29<sup>th</sup> day of June, 2015, upon consideration of the defendants’ motion for summary judgment as to plaintiff’s claim for punitive damages under the Alabama Wrongful Death Act (Doc. No. 47) and defendants’ notice regarding certification of the Alabama Attorney General pursuant to Fed. R. Civ. P. 5.1 (Doc. No. 48), it is hereby **ORDERED** that the question presented in the defendants’ motion for summary judgment is **CERTIFIED**, as required by Rule 5.1(b) and 28 U.S.C. § 2403(b), as being one of a

constitutional challenge to Ala. Code § 6-5-410. The Alabama Attorney General may intervene in accord with Rule 5.1(c).

BY THE COURT:

/s/Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.