

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

IN RE:)	MDL Docket No. 1953
)	Case No.: 08-60000
HEPARIN PRODUCTS)	
LIABILITY LITIGATION)	JUDGE JAMES G. CARR
)	

This motion applies to:

1:09-hc-60203	1:11-hc-60007	1:10-hc-60120	1:10-hc-60167	1:10-hc-60184
1:09-hc-60083	1:09-hc-60214	1:09-hc-60185	1:11-hc-60045	1:09-hc-60201
1:10-hc-60103	1:09-hc-60082	1:10-hc-60121	1:10-hc-60096	1:10-hc-60053
1:11-hc-60046	1:10-hc-60113	1:10-hc-60102	1:10-hc-60101	1:10-hc-60166
1:10-hc-60052	1:10-hc-60122	1:11-hc-60008	1:11-hc-60022	1:10-hc-60088
1:10-hc-60003	1:10-hc-60050	1:10-hc-60133	1:10-hc-60151	1:09-hc-60006
1:10-hc-60137	1:10-hc-60014	1:09-hc-60230	1:09-hc-60002	1:11-hc-60024

**DEFENDANT MEDEFIL, INC.’S MOTION TO SHOW CASE WHY CERTAIN
CASES AGAINST MEDEFIL, INC. SHOULD NOT BE DISMISSED**

Now Comes Defendant Medefil, Inc. (“Medefil”), by and through its undersigned counsel, and hereby moves this Honorable Court to enter and Order for Rule to Show Cause why certain cases against Medefil, Inc. should not be dismissed due to plaintiffs failure to produce any evidence that could attach liability to Medefil.

On January 12, 2012, Medefil filed its Omnibus Motion for Summary Judgment on All Pending Cases Based on the Court’s July 21, 2011 Order Regarding Non-Bolus Doses of Heparin. (See Medefil Non-Bolus Motion, filed on court’s docket at Doc. No. 612). This Court’s July 21, 2011 Order held that only bolus doses of heparin have the potential to lead to the injuries complained of by plaintiffs. Thus, in its motion for summary judgment Medefil put forth evidence demonstrating that in light of the Court’s ruling a Medefil product could not have

caused of any of plaintiffs' injuries because Medefil has never manufactured, produced, sold, or distributed any product indicated for bolus administrations of heparin.

Since that time, the plaintiffs in the following enumerated cases either have failed to respond to that motion or have filed a Notice of Non-Opposition to Medefil's Motion.

<i>Acierno v. Baxter Healthcare Corp.</i>	1:09-hc-60203-JGC
<i>Baj v. Baxter Healthcare Corp.</i>	1:11-hc-60007-JGC
<i>Barron v. Baxter Healthcare Corp.</i>	1:10-hc-60120-JGC
<i>Bermudez v. Baxter Healthcare Corp.</i>	1:10-hc-60167-JGC
<i>Brewer v. Baxter Healthcare Corp.</i>	1:10-hc-60184-JGC
<i>Clay v. Baxter Healthcare Corp.</i>	1:09-hc-60083-JGC
<i>Clouner v. Baxter Healthcare Corp.</i>	1:09-hc-60214-JGC
<i>Cook v. Baxter Healthcare Corp.</i>	1:09-hc-60185-JGC
<i>Heacox v. Baxter Healthcare Corp.</i>	1:11-hc-60045-JGC
<i>Hochman v. Baxter Healthcare Corp.</i>	1:09-hc-60201-JGC
<i>Johnston v. Baxter Healthcare Corp.</i>	1:10-hc-60103-JGC
<i>Lanier v. Baxter Healthcare Corp.</i>	1:09-hc-60082-JGC
<i>Levitt v. Baxter Healthcare Corp.</i>	1:10-hc-60121-JGC
<i>Lobo v. Baxter Healthcare Corp.</i>	1:10-hc-60096-JGC
<i>Maddux v. Baxter Healthcare Corp.</i>	1:10-hc-60053-JGC
<i>Martinez v. Baxter Healthcare Corp.</i>	1:11-hc-60046-JGC
<i>Montes v. Baxter Healthcare Corp.</i>	1:10-hc-60113-JGC
<i>Oldham v. Baxter Healthcare Corp.</i>	1:10-hc-60102-JGC
<i>Paige v. Baxter Healthcare Corp.</i>	1:10-hc-60101-JGC
<i>Peterson v. Baxter Healthcare Corp.</i>	1:10-hc-60166-JGC
<i>Phillips v. Baxter Healthcare Corp.</i>	1:10-hc-60052-JGC
<i>Powell v. Baxter Healthcare Corp.</i>	1:10-hc-60122-JGC
<i>Robbins v. Baxter Healthcare Corp.</i>	1:11-hc-60008-JGC
<i>Sarver v. Baxter Healthcare Corp.</i>	1:11-hc-60022-JGC
<i>Self v. Baxter Healthcare Corp.</i>	1:10-hc-60088-JGC
<i>Shelby v. Baxter Healthcare Corp.</i>	1:10-hc-60003-JGC

<i>Slomkowski v. Baxter Healthcare Corp.</i>	1:10-hc-60050-JGC
<i>Tasoff v. Baxter Healthcare Corp.</i>	1:10-hc-60133-JGC
<i>Terryn v. Baxter Healthcare Corp.</i>	1:10-hc-60151-JGC
<i>Upton v. Baxter Healthcare Corp.</i>	1:10-hc-60137-JGC
<i>Wallach v. Baxter Healthcare Corp.</i>	1:10-hc-60014-JGC
<i>Weber v. Baxter Healthcare Corp.</i>	1:09-hc-60230-JGC
<i>White v. Baxter Healthcare Corp.</i>	1:09-hc-60002-JGC
<i>Williams v. Baxter Healthcare Corp.</i>	1:09-hc-60006-JGC
<i>Wyskiver v. Baxter Healthcare Corp.</i>	1:09-hc-60221-JGC
<i>Zimmerman v. Baxter Healthcare Corp.</i>	1:11-hc-60024-JGC

WHEREFORE, Defendant Medefil, Inc. respectfully requests that this Court issue an Order for Rule to Show Cause why the foregoing identified cases should not be dismissed with prejudice as against Medefil. In the alternative, Medefil requests that the pending Non-Bolus summary judgment motion [Docket 612] be granted in its entirety.

Respectfully submitted,

/s/ Jazmyn J. Stover

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of September, 2012, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Jazmyn J. Stover
One of the Attorneys for Defendant Medefil, Inc.