HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE Phenylpropanolamine (PPA) Products Liability Litigation	**No MDL 1407**
This document relates to the actions listed on Attachment A	**~~[PROPOSED]~~ ORDER OF DISMISSAL WITH PREJUDICE**

THIS MATTER came before the Court on the Motion of Dismissal with Prejudice of Defendant, CCA Industries, Incorporated (CCA), from the above-entitled action pursuant to Case Management Order Nos.13 and 13A. Having reviewed the statement of counsel of record for Defendant that the Plaintiff Fact Sheets (PFS), if any, and/or the Affirmations submitted pursuant to Case Management Order No. 13, contain no allegations of ingestion of the Defendant's product(s) contributed to plaintiffs' injuries, and the Plaintiffs having submitted no opposition within 10 days, the Court finds that the Plaintiffs listed on Attachment A hereto have not alleged injury based upon the ingestion of a PPA-containing product manufactured and/or distributed by Defendant, CCA.

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01-MD-01407-ORD

IT IS HEREBY ORDERED that all remaining claims in the actions asserted by Plaintiffs listed on Attachment A hereto, and by anyone suing by, through or under them, including, but not limited to , any loss of consortium claims, against Defendant, CCA, only, are hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41. The parties shall bear their own attorney's fees and costs.

DATED this 14 day of OCTOBER, 2003.

Barbara Jacobs Rothstein

UNITED STATES DISTRICT JUDGE

Presented by:

FRILOT, PARTRIDGE, KOHNKE & CLEMENTS, L.C.

By: _____

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ATTACHMENT A

MDL Docket No.	District Ct. Cause No.	Case Name	Plaintiff	Defendant
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Leslie Ackel	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Martha Ann Allen	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Sarina Allen	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Carol Anderson	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Mary Barnese	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Stephen Barquet	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	David Bell	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Carol Bolian	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Kim Boutte	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Karen Brown	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Melinda Brown	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Sharon Brown	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Raymond Carto, Jr.	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Faith Chaussy	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Wendell Cheramine	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Clarence Coleman	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Adrianne Collins	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Eddison Collins	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Beverly Cooks	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Laura Counts	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Joan Derbigny	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Pearl Briscoe	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Diane Albert	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Wanda M. Amar, Individually and o/b/o Ciera Amar, Shacara Amar & Vidal Amar	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Reginald Badon	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Gregory Beal	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Catherine Benjamin	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Shawn Berry	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Jewell Brenner	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Vanessa Brown	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Sylvia Burrell	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Carol Butler	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Jerlean Castille	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Robert Collins	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Edward Comeaux	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Stemmie Cooper	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Monica Cravinas	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Gail Davis	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	America Diaz	CCA Industries
C02-1856	02cv1831 F 2	Leslie Ackel, et al vs. Bayer Corp., et al	Joyce Eaglin	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Betty Everidge	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Susan Gilbert	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Helen Green	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	John Green	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Rebecca Hart	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Lula Hayes	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Lisa Henderson	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Angela Hotard	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Shirley Howard	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Rosa Jackson	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Karen James	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Hilda Johnson	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Yvette Fox	CCA Industries

ATTACHMENT A

MDL Docket No.	District Ct. Cause No.	Case Name	Plaintiff	Defendant
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Burnell Jones	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Kathleen Jones	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Joseph Jordan	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	George Kenny	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Janice King	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Joanne King	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Christina Gibson	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Creaton Gordon	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Joan Hagan	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Cheryl James	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Bobby Jessie	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Joe Johnson	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Robert Johnson	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Margaret Black	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Tajalena Brown	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Kendrell Carter	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Leonard Clanton	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Louis Doherty	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Jacquelyn Dorsey	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Shirley Scott	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Dorothy Warren	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Florence Weiss o/b/o Kevin Weiss	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Theodore Wells	CCA Industries
C02-1858	02cv1834 R 5	Betty Everidge, et al vs. Bayer Corp., et al	Leonard Wilson, Jr.	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Edith Lindsey	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Rose McCrary	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Ronald Mack	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Rodney W. Mayeaux, Sr.	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Annie Landry	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Frances Laporie	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Kenneth Leslie	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Lula Lewis	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Joan Magee	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Sandra Mailhes	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Robert E. Martin o/b/o Gloria Martin	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Helen Martin	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Mary Etta McGary	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Evangeline McGee	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Jean Nelson	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Edison Nicholas	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Herman Pembrook	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Salvator Peralli	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Donald Pons	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Sherlene Reddick	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Cassandra Richardson	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Terry Robinson	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Bonnie LeBlanc	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Etter Lenoir	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Bobby Lonzo	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Diane Marrero	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Rita Metzler o/b/o Earl L. Metzler, Jr.	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Sharon Miller	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Anne Monley	CCA Industries

ATTACHMENT A

MDL Docket No.	District Ct. Cause No.	Case Name	Plaintiff	Defendant
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Khadijah Muhammad	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Lynn Picquet	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Carol Rankins	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Mary Rogers	CCA Industries
C02-1859	02cv1835 L 4	Annie Landry, et al vs. Bayer Corp., et al	Patricia Roser	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al (erroneously listed in the Betty Everidge, et al vs. Bayer Corp., et al, action on the affirmation)	Leonard Wilson	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Reginald Sanders	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Ella Mae Spurlock	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Carolyn Taylor	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Wendell Taylor	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Joseph Thomas	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Sheri Thompson	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Elvia Tillman	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Linda Timberlake	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Jackie White	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Franklin Wimberly	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Harold Winters	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Renita Rowe	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Cabrina Russ	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Tina Simmons	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Doretha Smith	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Barbara Solomon	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Hortense St. Cyre	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Linda Taylor	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Desiree Thead	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Phyllis Thomas	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Cynthia Tousaint	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Whitney Tripps	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Lois Venable	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Andrea Ware o/b/o Rosetta Marrero	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Dorothy Warren	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Theodore Wells	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Milton Wyre	CCA Industries
C02-1847	02cv1833 D 4	Renita Rowe, et al vs. Bayer Corp., et al	Ann Moseley	CCA Industries
C02-2595	02cv1295 S	Ellen McCullough, et al vs. American Home Products, et al	Ellen McCullough	CCA Industries
C02-2595	02cv1295 S	Ellen McCullough, et al vs. American Home Products, et al	Brenda Businelle	CCA Industries