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THE HONORABLE BARBARA J. ROTHSTEIN

2 AUG 13 2003

3 AT SEATTLE
4 CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 IN RE: PHENYLPROPANOLAMINE (PPA)
9 PRODUCTS LIABILITY LITIGATION

MDL Docket No. 1407

10 This document relates to:

11 ORDER DISMISSING CLAIMS WITH
12 PREJUDICE FOR FAILURE TO
13 COMPLY WITH COURT-ORDERED
14 DISCOVERY

15 *Barbara Adams, et al. v. Bayer Corp., et al.*
16 *Civil Docket No. 02CV2375*

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19 *Charlotte L. Fife, et al. v. AHP, et al.*
20 *Civil Docket No. 01CV2144*

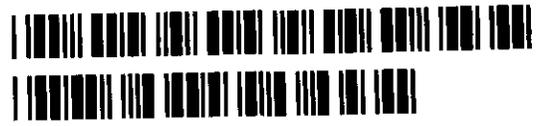
21 OCT 14 2003

22 *Annie Landry, et al. v. Bayer Corp., et al.*
23 *Civil Action No. 02CV1859*

24 AT SEATTLE
25 CLERK U.S. DISTRICT COURT
26 WESTERN DISTRICT OF WASHINGTON
27 BY DEPUTY

28 *Dora Saverin, et al. v. Bayer Corp., et al.*
Civil Action No. 02CV2594

THIS MATTER having come before the undersigned Judge on Defendants Schering-Plough Corporation ("SPC") and Schering-Plough HealthCare Products, Inc.'s ("SPHCP") Motion to Dismiss for Plaintiffs' Failure to Comply with Court-Ordered Discovery; and the Court having reviewed the files and records herein including Defendants' Memorandum, the responses (if any), and SPC's and SPHCP's Reply (if any), and deeming itself fully advised, the Court finds that Plaintiffs identified in list attached to this Order (hereinafter "Plaintiffs") have failed to comply with this Court's discovery plan set forth in Case Management Order No. 6 and in this Court's November 21, 2002 CMO. Plaintiffs have been given ample opportunity to comply with these Orders and has received several warnings that failure to comply would result in appropriate sanctions, including dismissal of this action.



01-MD-01407-ORD

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NOW, THEREFORE, it is hereby ordered that Defendants SPC and SPHCP's Motion to Dismiss is GRANTED and the Court hereby orders the dismissal of Plaintiffs' claims with prejudice pursuant to Federal Rules of Civil Procedures 41(b) and 37(b)(2)(C).

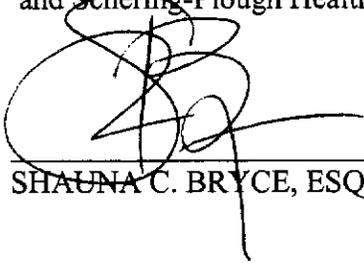
DATED this 14 day of OCTOBER, 2003.

Barbara Jacob Rothstein

HON. BARBARA J. ROTHSTEIN, U.S.D.J.

Presented by:

SILLS CUMMIS RADIN TISCHMAN
EPSTEIN & GROSS, P.A.
Attorneys for Schering-Plough Corporation
and Schering-Plough HealthCare Products, Inc.



SHAUNA C. BRYCE, ESQ.

MOTION TO DISMISS FOR FAILURE TO COMPLY WITH COURT ORDERED DISCOVERY

Case Name	MDL Docket	Plaintiff's Name	State	Date Action Commenced	Date Docketed in MDL	PFS Due Date	PFS Received	PFS Date Warning Letter Sent	Affirmation Due Date	Affirmation Received	Affirmation Date Warning Letter Sent
Adams	02-2375	Deldrage, Hattie	LA	6/10/02	12/24/02	4/21/03	NO	5/9/03	6/2/03	NO	7/23/03
Adams	02-2375	Marshall, Sadie	LA	6/10/02	12/24/02	4/21/03	NO	5/9/03	6/2/03	NO	7/23/03
Fife	01-2144	Johnson, Regina	LA	11/6/01	7/29/02	5/6/02	NO	7/17/02	6/2/03	NO	7/23/03
Landry	02-1859	LeBlanc, Bonnie	LA	6/17/02	9/17/02	12/2/02	NO	12/17/02	6/2/03	NO	6/12/03
Landry	02-1859	Miller, Sharon	LA	6/17/02	9/17/02	12/2/02	NO	12/17/02	6/2/03	NO	6/12/03
Saverin	02-2594	Rout, Rosemary	LA	11/5/02	3/14/03	5/8/03	NO	5/12/03	6/2/03	NO	6/17/03
Saverin	02-2594	Saverin, Dora	LA	11/5/02	3/14/03	5/8/03	NO	5/12/03	6/2/03	NO	6/17/03