

**U.S. District Court**  
**Southern District of West Virginia - Charleston**

Civil Docket for Case Number ## 2:03-cv-00549

Rogers v. Bristol-Myers Squibb, et al

Assigned to: Judge Joseph R. Goodwin

Referred to:

Date Filed: 6/16/2003

<b>Filed Date</b>	<b>Doc. #</b>	<b>Docket Text</b>
6/16/2003	1	ORDER Transferring case to the Southern District of West Virginia from the Eastern District of Louisiana. (ras)
6/16/2003	-	Consolidated Member Case; Lead Case Number: 2:02md1477 In re Serzone Products Liability Litigation. (ras)
6/26/2003	2	FRCP 12(b)(1) MOTION by Daren D. Parsa to Dismiss for lack of subject matter jurisdiction . (pdb)
6/26/2003	3	MEMORANDUM by Daren D. Parsa in support of [2-1] FRCP 12(b)(1) motion to dismiss for lack of subjet matter jurisdiction. (pdb) Modified on 07/17/2003
7/7/2003	4	SUPPLEMENTAL MEMORANDUM by Daren D. Parsa M.D. in support of [2-1] FRCP 12(b)(1) motion to dismiss. (pdb)
8/8/2003	5	MOTION by Melinda Rogers for partial dismissal of defendant KMart . (ras)
8/22/2003	6	OPPOSITION by Melinda Rogers to [2-1] motion to dismiss for lack of subject matter jurisdiction by Daren D. Parsa M.D. (ras)
9/2/2003	7	ORDER granting deft Daren Parsa, M.D.'s [2-1] motion to dismiss for lack of subject matter jurisdiction and dismissing without prejudice the claims against him. (signed by Judge Joseph R. Goodwin) (cc: attys; any unrepresented party; Plaintiff's Liaison Counsel and Defendant's Liaison in MDL 1477) (ras)
11/19/2003	8	ORDER granting pltf's [5-1] motion for partial dismissal of defendant KMart; dismissing pltf's claims as against KMart Corporation. (signed by Judge Joseph R. Goodwin) (cc: counsel of record in this individual suit; any unrepresented party; pltf's; liaison counsel and deft's liaison counsel in MDL-1477) (skh)
7/22/2004	9	MOTION by Allan Berger and John D. Sileo of ALLAN BERGER & ASSOCIATES, counsel for Melinda Rogers, to withdraw, with proposed order. (ras)
10/14/2004	10	ORDER permitting Allan Berger and John D. Sileo to withdraw from this case. Signed by Judge Joseph R. Goodwin on 10/14/2004. (cc: attys;

any unrepresented party) (skh)

9/9/2005

11

FINAL JUDGMENT ORDER: In accordance with the Memorandum Opinion and Order Approving Settlement and Certifying the Settlement Class (Document No. [296] entered in MDL 2:02-md-1477 on 9/2/2005), the court directs that all claims pending in MDL No. 1477 be DISMISSED with prejudice as to the Class Representatives and members of the Class, save those members of the Class who properly requested exclusion in compliance with this court's orders, without any assessment of costs, with such dismissal subject only to compliance by the parties with the terms and conditions of the Third Amended Settlement Agreement (see Attachments 1 and 2 to Document No. [184] in MDL 2:02-md-1477) as amended by the court's 9/2/2005 Memorandum Opinion and Order, and this Final Order and Judgment. The court FINDS that there is no just reason for delay and therefore directs entry of this Final Judgment as to the Class Representatives and members of the Class, as a final judgment pursuant to Rule 54, F.R.C.P. The court retains exclusive jurisdiction over this action and every aspect of the interpretation, implementation and enforcement of the Settlement. Signed by Judge Joseph R. Goodwin on 9/9/2005. (cc: Clerk, MDL Panel; Pltfs's Liaison Counsel; Deft's Liaison Counsel; published at [www.wvsc.uscourts.gov](http://www.wvsc.uscourts.gov)) (jkk)