

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: COOK MEDICAL, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY LITIGATION

MDL No. 2440

JOSEPH R. GOODWIN  
U.S. DISTRICT JUDGE

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THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 83  
(ORDER RE: TRANSFERS FROM THE MDL PANEL AND DIRECT FILINGS)**

In light of the small number of filings in this MDL since January 2017 and for other reasons appearing to the court, the court has requested that the Judicial Panel on Multidistrict Litigation no longer transfer cases to MDL 2440. On August 21, 2017, the Panel entered a Minute Order to that effect. *See* Minute Order Suspending Rule 7.1 [ECF No. 523]. The court **ORDERS** that (1) plaintiffs may no longer direct file claims against Cook Incorporated, Cook Medical Incorporated, and Cook Biotech Inc. in the Cook MDL (as set forth in PTO # 13); and (2) if a plaintiff has a claim against these defendants and another MDL defendant and wishes to direct file in the Southern District of West Virginia, the plaintiff is directed to file in the appropriate MDL other than Cook.

The court **DIRECTS** the Clerk to file a copy of this order in 2:13-md-2440 and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:16-cv-10647. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order

will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvsc.uscourts.gov](http://www.wvsc.uscourts.gov).

ENTER: September 27, 2017



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE