

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

**CHARLESTON DIVISION**

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

MDL No. 2440

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THIS DOCUMENT RELATES TO ALL CASES  
and MEMBER CASES:

<i>Morgan v. Cook Inc., et al.</i>	2:12-cv-07016
<i>Ralston, et al. v. Cook Inc., et al.</i>	2:13-cv-21242
<i>Enlow, et al. v. Cook Inc., et al.</i>	2:13-cv-19948
<i>Janysek, et al. v. Cook Inc., et al.</i>	2:13-cv-20817

**PRETRIAL ORDER # 30**

(Order Ruling on Motions related to Discovery Pool)

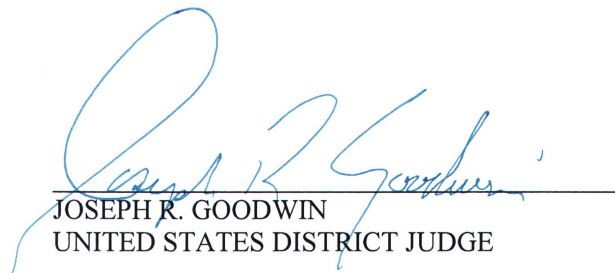
Pending are (1) the Cook Defendants' Motion to Strike *Morgan* Case from Discovery Pool, filed February 17, 2014 [Docket 88]; and (2) the Cook Defendants' Unopposed Motion to Substitute *Janysek* Case for *Enlow* Case in Discovery Pool in MDL 2440, filed February 21, 2014 [Docket 91]. In the first motion, the Cook defendants seek an order striking the case of *Morgan v. Cook Inc., et al.*, 2:12-cv-07016, from the Discovery Pool because plaintiff failed to file a timely Plaintiff Profile Form. In response, the Cook Plaintiff's Steering Committee proposes replacement of *Morgan* with *Ralston, et al. v. Cook Inc., et al.*, 2:13-cv-21242, and states that the defendants do not object. Regarding the second motion, the Cook defendants move to substitute *Janysek v. Cook Inc., et al.*, 2:13-cv-20817, for *Enlow v. Cook Inc., et al.*, 2:13-cv-19948. The Cook defendants state that co-lead counsel for plaintiffs represent they do not object to the substitution.

It is **ORDERED** that

- (i) the Cook Defendants' Motion to Strike *Morgan* Case from Discovery Pool is **GRANTED**;
- (ii) the *Morgan* case is replaced with *Ralston, et al. v. Cook Inc., et al.*, 2:13-cv-21242
- (iii) the Cook Defendants' Unopposed Motion to Substitute *Janysek* Case for *Enlow* Case in Discovery Pool in MDL 2440 is **GRANTED**; and
- (iv) co-lead counsel for plaintiffs and the Cook defendants file updated lists of their Discovery Pool cases in MDL 2440 **and** in each member case on the updated list.

The court **DIRECTS** the Clerk to file a copy of this order in 2:13-md-2440 and *in the member cases cited above* 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 2:14-cv-111220. 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.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: February 28, 2014

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE