

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

**CHARLESTON DIVISION**

JUDY P. BROWN, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:12-cv-07314

ETHICON, INC., et al.,

Defendants.

**ORDER**

Pending are plaintiffs' Motion to Dismiss without Prejudice, filed September 16, 2013 [Docket 33], and plaintiffs' Amended Motion to Dismiss (with prejudice), filed September 20, 2013 [Docket 34]. In the Amended Motion, plaintiffs, whose case was chosen for a bellwether trial, seek an order dismissing their case with prejudice because of health issues experienced by Ms. Brown. Defendants have indicated to the court they will not oppose plaintiffs' Amended Motion.

It is **ORDERED** that plaintiffs' Motion to Dismiss without Prejudice is **DENIED**, and plaintiffs' Amended Motion to Dismiss (with prejudice) is **GRANTED**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: September 27, 2013

  
\_\_\_\_\_  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE