

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE No. 11-22025-CIV-JORDAN

SHANNON McCONNELL)
)
Plaintiff)
)
vs.)
)
MARK DEBAISE, INC., et al.,)
)
Defendants)
)
)
)

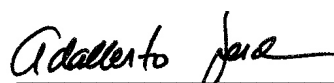
ORDER STAYING CASE PENDING DECISION ON TRANSFER

The defendants’ motion to stay the proceedings [D.E. 3] is GRANTED.

The defendants argue that this case should be stayed because they have filed a notice with the judicial panel on multi-district litigation that this case is a tag-along action to *In re: DePuy Orthopaedics, Inc, ASR Hip Implant Liability Litigation*, MDL No. 2197, an MDL proceeding in the Northern District of Ohio. “It is common practice for courts to stay an action pending a transfer decision by the JPML.” *See Bonenfant v. R.J. Reynolds Tobacco Co.*, No. 07-60301-Civ-Zloch, 2007 WL 2409980, at *1 (S.D.Fla. July 31, 2007) (citing *Republic of Venez v. Philip Morris Co., Inc.*, No. 99-0586-Civ-Ungaro, 1999 WL 33911677, at *1 (S.D.Fla. Apr. 28, 1999). “Courts commonly stay such actions because ‘[a] stay pending the [JPML]’s decision can increase efficiency and consistency, particularly when the transferor court believes that a transfer order is likely and when the pending motions raise issues likely to be raised in other cases as well.’” *See id.* (quoting *Manual for Complex Litigation* § 22.35 (4th ed.2004)).

Because it appears likely that this matter will be transferred to the MDL in the Northern District of Ohio, this case is STAYED pending a ruling from the JPMDL on the transfer of this matter.

DONE and ORDERED in chambers in Miami, Florida, this 16th day of June, 2011.



 Adalberto Jordan
 United States District Judge

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