UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION

IN RE: BIOMET M2a MAGNUM HIP IMPLANT PRODUCTS LIABILITY LITIGATION (MDL 2391)))
) CAUSE NO. 3:12-MD-2391)
This Document Relates to:)
Grenier v. Biomet, Inc., et al.) CAUSE NO. 3:13-CV-87
and)
Fiacco et al. v. Biomet Orthopedics, LLC, et al.) CAUSE NO. 3:13-CV-1092)
)

AMENDED ORDER

In the December 14, 2016 Order Regarding *Pro Se* Cases, plaintiffs were advised that failure to complete and return an Expert Declaration of Causation by the Apr 17 deadline or to attend the Apr 24 hearing would result in dismissal of their case with prejudice [Doc. No. 3270 in 3:12md2391]. The plaintiffs in *Grenier v. Biomet, Inc. et al.*, No. 3:13cv87, and *Fiacco et al v. Biomet Orthopedics, LLC et al.*, No. 3:13cv1092, did neither, and their complaints were dismissed on April 28, 2017. Due to a clerical error in the memorandum and order [Doc. No. 3327 in 3:12md2391], however, the dismissals were incorrectly identified as dismissals without prejudice.

Pursuant to Fed. R. Civ. P. 60(a), the court AMENDS the April 28, 2017 memorandum and order [Doc. No. 3327 in 3:12md2391] to correct that error, and

ORDERS that *Grenier v. Biomet, Inc. et al.*, No. 3:13cv87, and *Fiacco et al v. Biomet Orthopedics, LLC et al.*, No. 3:13cv1092, be DISMISSED WITH PREJUDICE. The Clerk is directed to enter judgment accordingly.

ENTERED: <u>May 3, 2017</u>

/s/ Robert L. Miller, Jr.
Judge, United States District Court
Northern District of Indiana