

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	:	
FOSAMAX PRODUCTS LIABILITY LITIGATION	:	Master File No.
-----X	:	06 MD 1789 (JFK)
This document relates to:	:	
<u>Khan v.</u>	:	ORDER
Merck & Co., Inc.,	:	
<u>No. 09 Civ. 332 (JFK)</u>	:	
-----X	:	

JOHN F. KEENAN, United States District Judge:

On September 17, 2014, this Court granted Aylstock, Witkin, Kreis & Overholtz, PLLC's motion to withdraw as counsel for Plaintiff and stayed Plaintiff's action until November 3, 2014 to allow her time to retain new counsel. Also on September 17, 2014, the Court entered a Lone Pine order directing Plaintiff to provide, inter alia, an expert report by January 5, 2015.

Plaintiff failed to timely respond to the Lone Pine order by the January 5, 2015 deadline. By letter dated February 18, 2015, Merck notified Plaintiff of her failure to comply with the Court's order. Pursuant to the September 17, 2014 Lone Pine order, the letter also informed Plaintiff that she had until March 9, 2015 to show cause why her complaint should not be dismissed with prejudice.

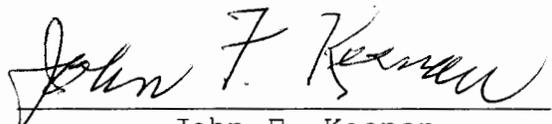
On March 11, 2015, the Court received a letter from Plaintiff dated March 6, 2015. The letter informed the Court that Plaintiff had been hospitalized for a month after suffering a stroke and therefore could not timely provide the appropriate

paperwork. Given Plaintiff's hospitalization, the Court granted Plaintiff a final extension until June 8, 2015 to comply with the September 17, 2014 Lone Pine order. (ECF No. 20.)

Plaintiff did not comply with the Lone Pine order and has failed to show cause why her complaint should not be dismissed with prejudice for failing to comply with the Lone Pine order. Therefore, the Court dismisses Plaintiff's complaint with prejudice.

SO ORDERED.

Dated: New York, New York
August 20, 2015

A handwritten signature in cursive script that reads "John F. Keenan". The signature is written in black ink and is positioned above a horizontal line.

John F. Keenan
United States District Judge