

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**December 11, 2013**

**Elisabeth A. Shumaker  
Clerk of Court**

JOHNSON & JOHNSON; ETHICON,  
INC.,

Petitioners,

v.

No. 13-605  
(D.C. No. 5:13-CV-00833-L)

KATHLEEN TEAGUE; SUSAN  
TAGLIAFERRO; PATRICIA SCALES;  
SEAWILLOW SCHMIDT; VICKIE  
SCHMIDT PARSON; LORRAINE  
SCHUMACHER; NICOLE SCOTT;  
RHONDA SECHRIST; REGINA  
SELLERS; DONNA SEVERO;  
JACQUELINE SHAAK; MYRTLE  
SHADD; FRANK M. SHADD; PEGGY  
SHANNON-MCDOWELL; CAROL  
SHAW; TERRI SHAZER; SHARI P.  
SHEPPART; KAREN SHERIDAN;  
LIZETTE SHIELDS; KIMBERLY  
SILLEN; ANGELA SILVEIRA;  
ELIZABETH SIMPSON; MAHLON  
SIMPSON, a/k/a Alex Simpson; THERESA  
SISSON; TERESA SKAINS; NORMA  
SKORUPA-TODD; JOAN SMITH;  
MARIE SMITH; JOANNE SMITH;  
STACEY SMITH; ISABEL M. SMITH;  
MARY SPARKS; JACKIE SPIGENER;  
JUANITA STARR; DARLENE STEELE;  
YLONDA STEPHENS; JUDY M.  
STEPHENS; KRISTINA STEVEN;  
KELLY STEVENS; KAROLYN  
STEVENSON; JUDITH STONE; JACK G.  
STONE; EMILY M. STROUD; JODIE  
SWAN; SUE SWETNAM; APRIL SWICK;  
DAVID SWICK; BARBARA SWINGLE;  
JOANN SMITH; CANDY SMITH,

Respondents.

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**ORDER**

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Before **HARTZ, O'BRIEN**, and **BACHARACH**, Circuit Judges.

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This matter is before the court on the Defendants-Petitioners Johnson & Johnson and Ethicon, Inc.'s Petition for Permission to Appeal. The plaintiffs filed a response opposing the petition.

The defendants filed a motion seeking leave to file a reply brief, which included a proposed reply brief. The motion to file a reply brief is granted. The reply brief shall be filed as of the date it was received.

Upon consideration of the pleadings and the applicable law, the petition for permission to appeal is **GRANTED**.

Within 14 days of the date of this order, the petitioner shall pay the required appellate filing fees to the district court. *See* Fed. R. App. P. 5(d)(1). Once the fees have been paid, the clerk of the district court shall notify this court. At that time, a new appeal number will be assigned, and the appeal shall be entered on this court's docket. *See id.* 5(d)(3). The date of this order shall be deemed the date for filing the notice of appeal. *See id.* 5(d)(2).

The parties will be advised of scheduling matters once the new appeal has been opened.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker". The signature is written in black ink and includes a long, sweeping horizontal flourish at the end.

ELISABETH A. SHUMAKER, Clerk

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

December 11, 2013

Douglas E. Cressler  
Chief Deputy Clerk

Mr. Andrew McAfee Bowman  
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Mr. Larry Dean Ottaway  
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Mr. Richard Blair Goetz  
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400 South Hope Street  
Los Angeles, CA 90071-0000


**RE: 13-605, Johnson & Johnson, et al v. Teague, et al**  
Dist/Ag docket: 5:13-CV-00833-L

Dear Counsel:

Enclosed please find an order issued today by the court.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker  
Clerk of the Court

cc: Timothy Michael Bunson  
Matthew J. Sill

EAS/na