



Court File No.: 2338/16

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE GRACE

Wednesday, THE 8th DAY
OF June, 2022.

JG

BETWEEN:

SEAN KERGAN AND NOELLE KERGAN

Plaintiffs

and

CORDIS CORPORATION, CARDINAL HEALTH, INC.,
AND CARDINAL HEALTH CANADA INC.

Defendants

Proceeding under the *Class Proceedings Act, 1992*, SO 1992, c 6.

ORDER

THIS MOTION, made by the Plaintiffs, for the dismissal of the action was heard this day in writing at the London Courthouse, located at 80 Dundas Street, London, Ontario.

and supplementary motion record of
ON READING the motion record of the Plaintiffs filed, including the Consent of the Parties:

1. **THIS COURT ORDERS** that the within action is hereby discontinued, with prejudice, pursuant to section 29 of the *Class Proceedings Act, 1992*.
2. **THIS COURT ORDERS** that a Discontinuance Notice, substantially in the form of the attached Schedule "A", is approved pursuant to section 19 and section 29 of the *Class Proceedings Act, 1992*, SO 1992, c 6 ("CPA").
3. **THIS COURT ORDERS** that the Discontinuance Notice shall be posted on the Plaintiffs' counsel's website.
4. **THIS COURT ORDERS** that the motion to discontinue this action is granted without costs to *any of* either party.

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5. **THIS COURT ORDERS** that there be no costs with respect to this proceeding.

Date: 



The Honourable Justice Grace

SCHEDULE "A": DISCONTINUANCE NOTICE

A proposed class action was commenced in Ontario alleging Cordis retrievable IVC Filters, designed to trap blood clots passing through the IVC (a large vein that returns blood from the lower body to the heart), were negligently designed, manufactured, and distributed, resulting in increased complications as compared to other treatment options. Cordis denies these allegations.

The parties have reached an agreement to discontinue the above-noted class action. The discontinuance was approved by the Ontario Superior Court of Justice. The discontinuance relates to the Cordis IVC Filters Class Action only. It does not relate to claims against other manufactures.

If you received a Cordis IVC Filter and wish to pursue legal action, you may still be able to do so by way of an individual action, by contacting a personal injury lawyer in your area.

