

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.

ORDER

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

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", with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER, Clerk