

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE PHILIPS RECALLED CPAP, BI-
LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS
LITIGATION

THIS DOCUMENT RELATES TO:

Litigating Plaintiffs Listed on **Exhibit A**

)
)
) Master Docket: 2:21-mc-01230-JFC
)
) MDL No. 3014
)
) Honorable Joy Flowers Conti
)
)
)

**ORDER DISMISSING CLAIMS OF LITIGATING PLAINTIFFS
FOR FAILURE TO COMPLY WITH ORDER TO SHOW CAUSE**

THIS MATTER having come before the Court upon the Motion of Defendants Philips RS North America LLC, Koninklijke Philips N.V., Philips North America LLC, Philips Holding USA, Inc., and Philips RS North America Holding Corporation (collectively, “Philips Defendants”) to dismiss with prejudice the actions of the Litigating Plaintiffs identified on Exhibit A, pursuant to this Court’s Docket Management Order, ECF No. 2769, this Court’s Order to Show Cause, ECF No. 4200, and the Court having reviewed the Philips Defendants’ supporting Declaration and Chart of Litigating Plaintiffs Whose Claims Are Subject to Dismissal, and for good and sufficient cause having been shown,

IT IS on this 26th day of June, 2026, **HEREBY ORDERED** that all claims asserted in the matters listed on Exhibit A to this Order are **DISMISSED WITH PREJUDICE**. The Clerk shall **CLOSE** these cases.

Dated: June 26, 2026

s/Joy Flowers Conti
Honorable Joy Flowers Conti
Senior United States District Judge

**Exhibit A to Order Dismissing Claims of Litigating Plaintiffs for Failure to Comply
with Orders to Show Cause**

	Matter	Counsel	Dkt. #
1.	Able, Garland	Pro Se	2:23-cv-1002
2.	Angelle, Frank	Pro Se	2:22-cv-828
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5.	Berkebile, Chad	Pro Se	2:23-cv-969
6.	Billings, Tracey	Pro Se	2:23-cv-762
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10.	Frankmore, Gino	Pro Se	2:23-cv-904
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19.	Hernandez, David	Pro Se	2:23-cv-667
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28.	Mauerman, Brian	Pro Se	2:23-cv-620
29.	Murphy, Kenneth	Pro Se	2:23-cv-948
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36.	Tate, Freddy	Ron A. Austin Ron Austin Law LLC 400 Manhattan Boulevard Harvey, LA 70058 504.227.8100 Fax: 504.227.8122 Email: raustin@ronaustinlaw.com	2:23-cv-1760
37.	Tweve, Emmanuel	John S. Lopatto, III 1776 K Street, N.W., Suite 700 Washington, DC 20006 202.861.5800 Fax: 202.315.3850 Email: jlopatto3@gmail.com	2:21-cv-1899
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