UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO **EASTERN DIVISION**

IN RE: E. I. DU PONT DE **NEMOURS AND COMPANY C-8** PERSONAL INJURY LITIGATION.

> Civil Action 2:13-md-2433 JUDGE EDMUND A. SARGUS, JR. **Magistrate Judge Elizabeth Preston Deavers**

This document relates to: Travis Abbott and Julie Abbott v. E. I. du Pont de Nemours and Company, Case No. 2:17-cv-998.

DISPOSITIVE MOTIONS ORDER NO. 37

<u>Defendant's Motion for Summary Judgment on Concealment,</u> Misrepresentation and Fraud

This matter is before the Court on Defendant's Motion for Summary Judgment of Claims of Concealment, Misrepresentation, and Fraud (ECF No. 57) and Plaintiffs' Response (ECF No. 76). Plaintiffs indicate in their response that the parties have met and conferred and Plaintiffs have "agreed to a withdrawal of these claims based on the Court's prior rulings and the case specific facts and testimony in this matter." Therefore, the Court DENIES AS MOOT Defendant's Motion and DISMISSES Plaintiffs' claims for concealment, misrepresentation and fraud.

IT IS SO ORDERED.

1-19-2020

EDMUND A. SARGUS, JR.

UNITED STATES DISTRICT JUDGE