

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Susan McKay, on behalf of herself and)
all others similarly situated in California,)
and Meghan Eveland, on behalf of)
herself and all others similarly situated)
in Pennsylvania,)
)
Plaintiffs,)
)
v.)
)
Bausch & Lomb, Inc.,)
)
Defendant.)
_____)

MDL No. 1785
C/A No. 2:06-MN-77777-DCN

ORDER

This matter is before the court on plaintiffs’ motion to strike certain affirmative defenses pursuant to Federal Rule of Civil Procedure 12(f). Specifically, plaintiffs move to strike affirmative defenses 7, 27, 28, and 29 as listed in defendant’s Answer to the Amended Consolidated Class-Action Complaint. Defendant does not oppose this motion and admits those four affirmative defenses should be stricken. Accordingly, it is hereby **ORDERED** that plaintiff’s motion to strike certain affirmative defenses be **GRANTED** and that affirmative defenses 7, 27, 28, and 29 be **STRICKEN**.

AND IT IS SO ORDERED.



DAVID C. NORTON
CHIEF UNITED STATES DISTRICT JUDGE

July 28, 2008
Charleston, South Carolina