

In re: Tyco (Durham, 02-266)

MD-02-1335-B 03/17/04

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

In re Tyco International, Ltd.
Multidistrict Litigation (MDL 1335)

MDL DOCKET NO.02-1335-B
TYCO-SECURITIES ACTION
Case Nos. 02-266-B
03-1340-B

Opinion No. 2004 DNH 049

NOTICE OF RULING

On March 17, 2004, Chief Judge Paul Barbadoro entered the following order in Durham, et al. v. Tyco International, Ltd., et al., on Tyco's Motion to Dismiss Durham Complaint (doc. no. 2):

"The Durham complaint covers essentially the same events as the complaint that I dismissed in In Re Tyco International, Ltd., 2002 DNH 053. Plaintiffs have not addressed the pleading deficiencies I identified in that Memorandum and Order. Nor does their six-page objection to Tyco's Motion to Dismiss adequately respond to Tyco's other persuasive arguments for dismissal. Motion granted."

cc: Counsel of Record