

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TANIA NUNEZ, JOHNNY CHU,
ASHOK D. PANDYA, and DAVID E.
STERN, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

B. BRAUN MEDICAL, INC., BOARD OF
DIRECTORS AT B. BRAUN MEDICAL
INC., THE RETIREMENT COMMITTEE
OF B. BRAUN MEDICAL INC., and
JOHN DOES 1-30,

Defendants.

CIVIL ACTION NO. 20-4195

ORDER

AND NOW, this 18th day of August, 2023, after a non-jury trial held from July 12, 2023 to July 14, 2023; and the court having resolved all evidentiary disputes during said trial; and after considering the parties' post-trial submissions; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The defendant's motions *in limine* (Doc. Nos. 120, 121) are **DENIED AS MOOT**;
2. Judgment in this matter is **ENTERED** in favor of the defendant, The Retirement Committee of B. Braun Medical Inc., and against the plaintiffs, Tania Nunez, Johnny Chu, and David E. Stern, individually and on behalf of all other similarly situated;¹ and
3. The clerk of court shall mark this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.

¹ The Retirement Committee of B. Braun Inc. is the sole remaining defendant in this case due to the dismissal of all claims but duty of prudence. *See* Doc. No. 49. Moreover, Ashok D. Pandya is no longer a plaintiff. *See* Doc. No. 58.