



# Cowper Law Defeats Medtronic Inc. Again: California Appellate Court Denies Medtronic's Writ of Mandate

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LOS ANGELES, CA, UNITED STATES, October 15, 2025 /EINPresswire.com/ -- In July of 2025, Medtronic Inc. (MDT), the largest medical device company in the world, filed a motion for summary judgment based on preemption, a motion seeking to apply the laws of the three bellwether Plaintiffs' states of residence, and a motion to sever three cases that have been consolidated for trial involving Medtronic's Mini-med 600-series insulin pumps that were the subject of a FDA Class I recall in February 2020.

Medtronic argued that each Plaintiff's state of residence should apply under California's choice of law rules, that the cases should be dismissed under the laws of those states, and that the cases should have separate trials. Moze Cowper, attorney for the plaintiffs, argued that because Medtronic is based in California and its wrongful conduct occurred in California, California law should govern, that the cases should be tried together in one trial, and that the cases should not be dismissed. Judge Berle in Los Angeles Superior Court's Complex Division agreed and the case was set for trial on August 11, 2025.

On August 5th, 2025, Medtronic filed a writ of mandate with California Appellate Division seeking to have Judge Berle's order overturned. On October 14th, 2025 the California Appellate Division denied the writ and found that: "Petitioner fails to demonstrate the respondent court erred in denying the choice of law motion. (See *Washington Mutual Bank, FA v. Superior Court* (2001) 24 Cal.4th 906, 919-920; *Frontier Oil Corp. v. RLI Ins. Co.* (2007) 153 Cal.App.4th 1436, 1465.) Petitioner also fails to demonstrate denial of the severance motion was an abuse of discretion." Cowper Law intends to seek a new trial date immediately. The Court of Appeal Case Number is: B348034, *Medtronic Minimed, Inc. et al. v. Superior Court Los Angeles County et al.*

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