UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
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October 12, 2007

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: November 29, 2007

LOCATION OF HEARING SESSION: Edward J. Schwartz United States Courthouse
Ceremonial Courtroom #1, 4th Floor
940 Front Street
San Diego, California 92101

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **November 9, 2007.** Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the Southern District of California

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on November 29, 2007, the Panel will convene a hearing session in San Diego, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule.

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION:

John G. Heyburn II
Chairman

D. Lowell Jensen	J. Frederick Motz
Robert L. Miller, Jr.	Kathryn H. Vratil
David R. Hansen	Anthony J. Scirica

SCHEDULE OF MATTERS FOR HEARING SESSION
November 29, 2007 -- San Diego, California

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL No. 1885 -- **IN RE: GOOD KARMA, LLC, ET AL., IRS SUMMONS LITIGATION**

Motion of Petitioners Good Karma, LLC, et al.; Ironwood Trading, LLC, et al.; Nero Trading, LLC, et al.; Sugarloaf Funding, LLC, et al.; Rook Trading, LLC, et al.; Bodensee Fund, LLC, et al.; Superior Trading, LLC; Lyons Trading, LLC; and Galba Trading, LLC, for centralization of the following actions in the United States District Court for the Northern District of Illinois:

Middle District of Florida

Ironwood Trading, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S., Misc. No. 8:07-59

Northern District of Georgia

Nero Trading, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S, C.A. No. 1:07-1816

Northern District of Illinois

Good Karma, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S., C.A. No. 1:07-2697
Good Karma, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S., C.A. No. 1:07-3930

District of Massachusetts

Sugarloaf Funding, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S., C.A. No. 1:07-11211

Western District of Michigan

Rook Trading, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S., C.A. No. 1:07-651

MDL No. 1885 (Continued)

District of New Jersey

Bodensee Fund, LLC, et al. v. United States of America, Dept. of the Treasury-I.R.S., C.A. No. 3:07-3209

Eastern District of Pennsylvania

Bodensee Fund, LLC, et al. v. United States of America, Dept of the Treasury-I.R.S., Misc. No. 2:07-111

Middle District of Pennsylvania

Superior Trading, LLC v. United States of America, Dept. of the Treasury-I.R.S., Misc. No. 3:07-195

Eastern District of Tennessee

Lyons Trading, LLC v. United States of America, Dept. of the Treasury-I.R.S., Misc. No. 3:07-13

Southern District of Texas

Galba Trading, LLC v. United States of America, Dept. of the Treasury-I.R.S., Misc. No. 7:07-43

MDL No. 1886 -- **IN RE: REFINED PETROLEUM PRODUCTS ANTITRUST LITIGATION**

Motion of plaintiffs Fast Break Foods, LLC, and Green Oil Company for centralization of the following actions in the United States District Court for the Northern District of Illinois:

District of District of Columbia

S-Mart Petroleum, Inc. v. Petroleos de Venezuela, S.A., et al., C.A. No. 1:07-1179

MDL No. 1886 (Continued)

Northern District of Illinois

Fast Break Foods, LLC v. Saudi Arabian Oil Co., et al., C.A. No. 1:06-6594
Green Oil Co. v. Saudi Arabian Oil Co., et al., C.A. No. 1:07-3617

Northern District of Ohio

Countywide Petroleum Co. v. Petroleos de Venezuela, S.A., et al., C.A. No. 1:07-1632

Southern District of Texas

Spectrum Stores, Inc., et al. v. Citgo Petroleum Corp., C.A. No. 4:06-3569

MDL No. 1887 -- **IN RE: ENGLE PROGENY TOBACCO PRODUCTS LIABILITY LITIGATION**

Motion of defendants R.J. Reynolds Tobacco Company; Philip Morris USA Inc.; Lorillard Tobacco Company; and Brown & Williamson Tobacco Corporation for centralization of the following actions in the United States District Court for the Middle District of Florida:

Middle District of Florida

Sharon White v. Philip Morris USA, Inc., et al., C.A. No. 6:06-1161
Judith Piegza, et al. v. Philip Morris USA, Inc., et al., C.A. No. 6:06-1162
Patricia Moore v. Philip Morris USA, Inc., et al., C.A. No. 6:06-1163
Linda Jones v. Philip Morris USA, Inc., et al., C.A. No. 6:06-1164
Ronald Spry, et al. v. Liggett Group, LLC, et al., C.A. No. 6:06-1228
Gloria Bell v. R.J. Reynolds Tobacco Co., et al., C.A. No. 6:07-1152
Joyce Williams, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 8:06-1696
John A. Swindells v. R.J. Reynolds Tobacco Co., et al., C.A. No. 8:06-1731
James L. Dunn, et al. v. Philip Morris, Inc., et al., C.A. No. 8:07-770

Northern District of Florida

Evelyn Swindell, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-86

MDL No. 1887 (Continued)

Southern District of Florida

Jocelyn Bonenfant, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 0:07-60301
Jimmie Lee Brown, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 0:07-60432
Barbara Morales, et al. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 0:07-60944
Jerome Cohen v. R.J. Reynolds Tobacco Co., et al., C.A. No. 0:07-60946
Pasquale Caprio, et al. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-20712
Patricia Neisen-Stone v. R.J. Reynolds Tobacco Co., C.A. No. 1:07-20910
Hanifah Harewood, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-21327
Deanna S. Ellis, et al. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-21503
Roberto Santana v. Philip Morris USA, Inc., et al., C.A. No. 1:07-21721
Gloria Tucker, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-21740
Susan Smith, et al. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-21785
John Glading, Jr., et al. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 1:07-21843
Daryl Miller, etc. v. R.J. Reynolds Tobacco Co., et al., C.A. No. 9:07-80312

MDL No. 1888 -- **IN RE: MARINE HOSE ANTITRUST LITIGATION (NO. II)**

Motion of plaintiff Weeks Marine, Inc., for centralization of the following actions in the United States District Court for the Southern District of New York:

Southern District of Florida

Shipyard Supply, LLC v. Bridgestone Corp., et al., C.A. No. 1:07-21282
Expro Gulf Ltd. v. Bridgestone Corp., et al., C.A. No. 1:07-21464
Bayside Rubber & Products, Inc. v. Trelleborg Industrie S.A., et al., C.A. No. 1:07-21613
Bayside Rubber & Products, Inc. v. Christian Caleca, et al., C.A. No. 1:07-21784

Southern District of New York

Weeks Marine, Inc. v. Bridgestone Corp., et al., C.A. No. 1:07-6811

MDL No. 1889 -- **IN RE: PEREGRINE SYSTEMS, INC., SECURITIES LITIGATION**

Motion of defendant Arthur Andersen, LLP, and plaintiff David Hildes, etc., for centralization of the following actions in the United States District Court for the Southern District of California:

Southern District of California

Alan Marshall, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-870
Richard Bowe v. Peregrine Systems, Inc., et al., C.A. No. 3:02-871
Joel A. Gerber v. Peregrine Systems, Inc., et al., C.A. No. 3:02-882
Peter Ahrens v. Peregrine Systems, Inc., et al., C.A. No. 3:02-885
Blake Halberg v. Peregrine Systems Inc., et al., C.A. No. 3:02-886
Chris Martin v. Peregrine Systems, Inc, et al., C.A. No. 3:02-887
Ira Gaines v. Peregrine Systems, Inc., et al., C.A. No. 3:02-890
Jeff Michon, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-891
Peter J. Krinsky v. Peregrine Systems, Inc., et al., C.A. No. 3:02-902
Jonathan D. Layes v. Peregrine Systems, Inc., et al., C.A. No. 3:02-906
Alan Berkowitz v. Peregrine Systems, Inc., et al., C.A. No. 3:02-921
Mendel Spiegel, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-926
Gabriel West v. Peregrine Systems, Inc., et al., C.A. No. 3:02-951
Randy Lee v. Peregrine Systems, Inc., et al., C.A. No. 3:02-979
Henry Frankel v. Peregrine Systems, Inc., et al., C.A. No. 3:02-996
Richard Schleicher v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1002
Anthony Boarman v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1010
Eric P. Daniels v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1011
Donna Murray v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1022
Stephen Anish v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1047
Robert Renzi v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1060
Craig McCarthy v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1061
Stoneridge Investment Partners, LLC v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1073
Heywood Waga v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1095
Michael J. Farrell v. Peregrine Systems, et al., C.A. No. 3:02-1120
Mateo Camarillo, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1168
Congregation Bais Avrohom v. Peregine Systems, Inc., et al., C.A. No. 3:02-1174
Katy Cox Johnson v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1176
Alan Hylton v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1207
Janet Kusmierski, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1208

MDL No. 1889 (Continued)

Southern District of California (Continued)

Michele Voth, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1238
Blair Alexander v. Matthew C. Gless, et al., C.A. No. 3:02-1242
Felix Lecocq v. Peregrine Systems, Inc., et al., C.A. No. 3:02-2550
William V. Alesi v. Matthew C. Gless, et al., C.A. No. 3:03-57

District of New Jersey

David Hildes, etc. v. Arthur Andersen, LLP, et al., C.A. No. 2:07-393

MDL No. 1891 -- **IN RE: KOREAN AIR LINES CO., LTD., ANTITRUST LITIGATION**

Motion of plaintiff James Van Horn for centralization of certain of the following actions in the United States District Court for the Western District of Washington; motion of plaintiffs Hyun Park, et al., for centralization of certain of the following actions in the United States District Court for the Central District of California; and motion of plaintiff Ben Lee for centralization of the following actions in the United states District Court for the Northern District of California:

Central District of California

Hyun Park, et al. v. Korean Air Lines Co., Ltd., C.A. No. 2:07-5107
Desa Philadelphia v. Korean Air Lines Co., Ltd., C.A. No. 2:07-5453

Northern District of California

Hee Ho Chung, et al. v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-3985
Hwa Ja Chung v. Korean Air Lines Co., Ltd., C.A. No. 3:07-4016
Ben Lee v. Korean Air Lines Co., Ltd., C.A. No. 3:07-4085
Yoon S. Chang v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-4244
Kirby K. Kim v. Korean Air Lines Co., Ltd., C.A. No. 3:07-4245
Scott McLean v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-4297
Martin Kaufman v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-4349
Kaz Fujita v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-4489

MDL No. 1891 (Continued)

Northern District of California (Continued)

Amy Bricker v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-4508
Michael Lee v. Korean Air Lines Co., Ltd., et al., C.A. No. 3:07-4509

District of Massachusetts

Song Kim v. Korean Air Lines Co., Ltd., C.A. No. 1:07-11427

District of Nevada

Sook Yung Lee v. Korean Air Lines Co., Ltd., et al., C.A. No. 2:07-1151

Eastern District of New York

Yoong Kim v. Korean Air Lines Co., Ltd., et al., C.A. No. 2:07-3526

Western District of Washington

James Van Horn v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1228
Ki-Yong Nam v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1264
Young Teak Moon, et al. v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1280
Leeva Chung v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1281
Jong Su Kim v. Korean Air Lines, Co., Ltd., C.A. No. 2:07-1294
Steven Kim, et al. v. Korean Air Lines Co., Ltd., et al., C.A. No. 2:07-1313
Chae Kim v. Korean Air Lines Co., Ltd., et al., C.A. No. 2:07-1337
Michael Choi v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1342
Jay Sohn v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1351
John Papazian v. Korean Air Lines Co., Ltd., C.A. No. 2:07-1357

MDL No. 1892 -- **IN RE: KFC CORP. FAIR LABOR STANDARDS ACT LITIGATION**

Motion of defendant KFC Corp. for centralization of the following actions in the United States District Court for the District of Minnesota:

Middle District of Alabama

Victoria Poole, et al. v. KFC Corp., C.A. No. 2:07-502

District of Arizona

Linda Alberico Pelland, et al. v. KFC Corp., C.A. No. 2:07-1110

District of Connecticut

Armando Amador v. KFC Corp., C.A. No. 3:07-883

District of Delaware

James Prestigiacomo, et al. v. KFC Corp., C.A. No. 1:07-353

District of District of Columbia

Gloria Bell, et al. v. KFC Corp., C.A. No. 1:07-1016

Middle District of Florida

Mark Bourlotos, et al. v. KFC Corp., C.A. No. 8:07-968

Northern District of Georgia

Constance Wilson, et al. v. KFC Corp., C.A. No. 1:07-1538

Northern District of Illinois

Talia Pippion, et al. v. KFC Corp., C.A. No. 1:07-3957

Southern District of Indiana

Vickie Aldridge, et al. v. KFC Corp., C.A. No. 4:07-77

MDL No. 1892 (Continued)

Western District of Kentucky

Karen Black, et al. v. KFC Corp., C.A. No. 3:07-312

Middle District of Louisiana

Tanya Ford, et al. v. KFC Corp., C.A. No. 3:07-390

District of Maryland

Gloria Dozier, et al. v. KFC Corp., C.A. No. 8:07-1517

District of Massachusetts

Francisco Anacleto, et al. v. KFC Corp., C.A. No. 1:07-11066

Eastern District of Michigan

Minnie Ballard, et al. v. KFC Corp., C.A. No. 2:07-12538

District of Minnesota

Christian Parler, et al. v. KFC Corp., C.A. No. 0:05-2198
Ray Ackerman, et al. v. KFC Corp., C.A. No. 0:07-2656

Western District of Missouri

Jason Johnson v. KFC Corp., C.A. No. 4:07-416

District of New Jersey

Robert Gruber, et al. v. KFC Corp., C.A. No. 1:07-2775

District of Nevada

Arturo Neyra, et al. v. KFC Corp., C.A. No. 2:07-795

MDL No. 1892 (Continued)

Southern District of New York

David Thames, et al. v. KFC Corp., C.A. No. 1:07-6836

Western District of North Carolina

Nikkia Barkley, et al. v. KFC Corp., C.A. No. 3:07-226

Southern District of Ohio

Thomas Wellman, et al. v. KFC Corp., C.A. No. 1:07-439

Western District of Oklahoma

Grahm Baccus, et al. v. KFC Corp., C.A. No. 5:07-648

Eastern District of Pennsylvania

Troy Williams, et al. v. KFC Corp., C.A. No. 2:07-2920

Eastern District of Tennessee

Kimberlee Bosworth v. KFC Corp., C.A. No. 1:07-131

Western District of Texas

Claudio Hernandez, et al. v. KFC Corp., C.A. No. 3:07-201

Eastern District of Virginia

Sebrina Dandrige, et al. v. KFC Corp., et al., C.A. No. 3:07-332

Northern District of West Virginia

Hope Jones, et al. v. KFC Corp., C.A. No. 3:07-74

MDL No. 1893 -- **IN RE: RC2 CORP. TOY LEAD PAINT PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Abel Martinez for centralization of certain of the following actions in the United States District Court for the Central District of California and motion of defendants RC2 Corp. and Learning Curve Brands, Inc., for centralization of certain of the following actions in the United States District Court for the Northern District of Illinois:

Eastern District of Arkansas

James Weldon Stratton, et al. v. RC2 Corp., et al., C.A. No. 4:07-640

Central District of California

Abel Martinez v. RC2 Corp., C.A. No. 2:07-5401

Northern District of Illinois

Channing Hesse v. Learning Curve Brands, Inc., et al., C.A. No. 1:07-3514
Jennifer Foshee Deke, etc. v. RC2 Corp., et al., C.A. No. 1:07-3609
Kimm Walton v. RC2 Corp., et al., C.A. No. 1:07-3614
John O'Leary, et al. v. Learning Curve Brands, Inc., et al., C.A. No. 1:07-3682
Paul Djurisic, etc. v. Apax Partners, Inc., et al., C.A. No. 1:07-3707
Theresa Reddell, et al. v. Learning Curve Brands, Inc., et al., C.A. No. 1:07-3747
Nicholas Rohde, et al. v. Learning Curve Brands, Inc., et al., C.A. No. 1:07-4187
Ryan R. Kreiner, et al. v. RC2 Corp., et al., C.A. No. 1:07-4547
Cherise Wilson, et al. v. Learning Curve Brands, Inc., et al., C.A. No. 1:07-4642

Southern District of Indiana

Chad J. Sweeney, et al. v. RC2 Corp., et al., C.A. No. 1:07-772

District of New Jersey

David Murdock, etc. v. RC2 Corp., et al., C.A. No. 2:07-3376

Eastern District of New York

C. Kelly v. RC2 Corp., C.A. No. 1:07-2525

MDL No. 1894 -- **IN RE: U.S. FOODSERVICE, INC., PRICING LITIGATION**

Motion of plaintiffs Waterbury Hospital, et al., for centralization of the following actions in the United States District Court for the District of Connecticut:

Northern District of California

Catholic Healthcare West v. Koninklijke Ahold N.V., et al., C.A. No. 4:07-4242

District of Connecticut

Waterbury Hospital, et al. v. U.S. Foodservice, Inc., C.A. No. 3:06-1657

Southern District of Illinois

Thomas & King, Inc. v. Koninklijke Ahold N.V., et al., C.A. No. 3:07-608

MDL No. 1895 -- **IN RE: LTL SHIPPING SERVICES ANTITRUST LITIGATION**

Motion of plaintiffs Berle Manufacturing Co., et al., for centralization of certain of the following actions in the United States District Court for the District of South Carolina; motion of plaintiffs Farm Water Technological Services, Inc., et al., for centralization of certain of the following actions in the United States District Court for the Southern District of California; motion of plaintiff Isaac Industries, Inc., for centralization of certain of the following actions in the United States District Court for the District of District of Columbia; and motion of plaintiffs Tex-Tech Industries, Inc., and Barjan, LLC, for centralization of certain of the following actions in the United States District Court for the District of Maine:

Southern District of California

Farm Water Technological Services, Inc., et al. v. Arkansas Best Corp., et al., C.A. No. 3:07-1389
Niagara Frontier Distribution, Inc. v. Arkansas Best Corp., et al., C.A. No. 3:07-1728
C&L Trading of Miami, Inc. v. Arkansas Best Corp., et al., C.A. No. 3:07-1764
Dad's Products Co., Inc. v. Arkansas Best Corp., et al., C.A. No. 3:07-1765
Rocket Motorcycles, Inc. v. Arkansas Best Corp., et al., C.A. No. 3:07-1780

MDL No. 1895 (Continued)

District of Connecticut

Global Wire, Inc., et al. v. Arkansas Best Corp., et al., C.A. No. 3:07-1192

District of District of Columbia

Isaac Industries, Inc. v. AAA Cooper Transportation, Inc., et al., C.A. No. 1:07-1638

Middle District of Florida

Inkjetsinc.com of Florida, Inc. v. Arkansas Best Corp., et al., C.A. No. 2:07-518

District of Maine

Tex-Tech Industries, Inc. v. Arkansas Best Corp., et al., C.A. No. 2:07-157
Barjan, LLC v. Arkansas Best Corp., et al., C.A. No. 2:07-163

District of New Jersey

Lawrence F. Thompson, etc. v. Arkansas Best Corp., et al., C.A. No. 1:07-4271

Northern District of Ohio

Computer Management International v. Arkansas Best Corp., et al., C.A. No. 1:07-2640

District of South Carolina

Berle Manufacturing Co., et al. v. Southern Motor Carriers Rate Conference, Inc., et al., C.A. No. 2:07-2923

MDL No. 1896 -- **IN RE: GENERAL MOTORS CORP. SPEEDOMETER PRODUCTS LIABILITY LITIGATION**

Motion of defendant General Motors Corp. for centralization of the following actions in the United States District Court for the Western District of Washington:

Northern District of California

Roy Falk, et al. v. General Motors Corp., C.A. No. 3:07-1731

District of Oregon

Robert W. Christensen, et al. v. General Motors Corp., C.A. No. 3:07-512

Western District of Washington

Kevin Zwicker, et al. v. General Motors Corp., C.A. No. 2:07-291

MDL No. 1897 -- **IN RE: MATTEL, INC., TOY LEAD PAINT PRODUCTS LIABILITY LITIGATION**

Motion of defendants Mattel, Inc., and Fisher-Price, Inc., for centralization of certain of the following actions in the United States District Court for the Central District of California and motion of plaintiffs Heather Davis Puerzer, et al.; Steve Sarjent, et al.; and Nisha Shah for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Ann L. Mayhew, etc. v. Mattel, Inc., et al., C.A. No. 2:07-5126
Nicole B. White, et al. v. Mattel, Inc., et al., C.A. No. 2:07-5366
Adam Luttenberger, etc. v. Mattel, Inc., et al., C.A. No. 2:07-5539
Heather Davis Puerzer, et al. v. Mattel, Inc., et al., C.A. No. 2:07-5661
Nisha Shah v. Fisher-Price, Inc., et al., C.A. No. 2:07-5960

Southern District of Indiana

Steve Sarjent, et al. v. Fisher-Price, Inc., et al., C.A. No. 1:07-1060

MDL No. 1897 (Continued)

Southern District of New York

Farrah Shoukry v. Fisher-Price, Inc., et al., C.A. No. 1:07-7182
Seth Goldman v. Fisher-Price, Inc., et al., C.A. No. 1:07-7764

Eastern District of Pennsylvania

Nydia Monroe, etc. v. Mattel, Inc., C.A. No. 2:07-3410
Jacob Chow, et al. v. Mattel, Inc., et al., C.A. No. 2:07-3741

District of South Carolina

Daniel S. Hughey, et al. v. Fisher-Price, Inc., et al., C.A. No. 2:07-2930

MDL No. 1898 -- **IN RE: AMERICAN HOME MORTGAGE SECURITIES LITIGATION**

Motion of defendant Citigroup Global Markets, Inc., for centralization of the following actions in the United States District Court for the Eastern District of New York:

Southern District of Florida

Justin Tuttleman, et al. v. John A. Johnston, et al., C.A. No. 9:07-80793

Eastern District of New York

Elliot Greenberg v. American Home Mortgage Investment Corp., et al.,
C.A. No. 2:07-3152
Joshua F. Hafron v. American Home Mortgage Investment Corp., et al.,
C.A. No. 2:07-3184
Claude A. Reese v. American Home Mortgage Investment Corp., et al.,
C.A. No. 2:07-3186
James Ramos v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3191
Gail Fialkov v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3193
Richard Nieland v. American Home Mortgage Investment Corp., et al.,
C.A. No. 2:07-3194

MDL No. 1898 (Continued)

Eastern District of New York (Continued)

Yuk Ying Lui v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3198
Randy Stark v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3227
George B. Blake v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3237
William J. Raniolo, et al. v. Michael Strauss, et al., C.A. No. 2:07-3243
Richard P. Abraham v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3248
Mark Hollingsworth v. Michael Strauss, et al., C.A. No. 2:07-3259
Kenneth Bruce v. Michael Strauss, et al., C.A. No. 2:07-3306
David R. Scheall v. Michael Strauss, C.A. No. 2:07-3315
Larry Massung v. American Home Mortgage Investment Corp., et al., C.A. No. 2:07-3350
KT Investments, LLC v. Michael Strauss, et al., C.A. No. 2:07-3388
Arthur S.K. Fong v. Michael Strauss, et al., C.A. No. 2:07-3540
Dana Marlin v. Citigroup Global Markets, Inc., et al., C.A. No. 2:07-3580

MDL No. 1899 -- **IN RE: SOUTHEASTERN MILK ANTITRUST LITIGATION**

Motion of defendants Dean Foods Company; National Dairy Holdings, LP; Dairy Farmers of America, Inc.; Dairy Marketing Services, LLC; Southern Marketing Agency, Inc.; James Baird; Gary Hanman; and Gerald Bos for centralization of the following actions in the United States District Court for the Middle District of Tennessee:

Eastern District of Tennessee

Fidel Breto, etc. v. Dean Foods Co., et al., C.A. No. 2:07-188
Scott Dairy Farm, Inc., et al. v. Dean Foods Co., et al., C.A. No. 2:07-208

Middle District of Tennessee

Sweetwater Valley Farm, Inc., et al. v. Dean Foods Co., et al., C.A. No. 1:07-51
James D. Baisley, et al. v. Dean Foods Co., et al., C.A. No. 1:07-52

MDL No. 1900 -- **IN RE: CIRCUIT CITY STORES, INC., RESTOCKING FEE SALES PRACTICES LITIGATION**

Motion of plaintiff Roxana Wilson for centralization of the following actions in the United States District Court for the Middle District of Florida or, in the alternative, the United States District Court for the Southern District of New York or the United States District Court for the Central District of California:

Central District of California

Roxana Wilson v. Circuit City Stores, Inc., C.A. No. 2:07-5229

Middle District of Florida

Kenneth Donnelly, et al. v. Circuit City Stores, Inc., C.A. No. 5:06-387

Southern District of New York

A.D.A. Alicea v. Circuit City Stores, Inc., C.A. No. 1:07-6123

MDL No. 1901 -- **IN RE: BEST BUY CO., INC., RESTOCKING FEE SALES PRACTICES LITIGATION**

Motion of plaintiff Dana Stein for centralization of the following actions in the United States District Court for the Southern District of Florida or, in the alternative, the United States District Court for the Northern District of Illinois:

Southern District of Florida

Jeffrey Hy v. Best Buy Co., Inc., C.A. No. 0:07-60351

Northern District of Illinois

Dana Stein v. Best Buy Co., Inc., C.A. No. 1:07-1881

MDL No. 1902 -- **IN RE: REFCO INC. SECURITIES LITIGATION**

Motion of defendants Credit Suisse Securities (USA) LLC, Banc of America Securities LLC, Deutsche Bank Securities Inc., Grant Thornton LLP, Mayer Brown LLP, Mayer Brown International LLP, and PricewaterhouseCoopers LLP for centralization of the following actions in the United States District Court for the Southern District of New York:

Northern District of Illinois

Marc S. Kirschner, etc. v. Grant Thornton LLP, et al., C.A. No. 1:07-5306

Southern District of New York

Joseph Mazur, et al. v. Refco Inc., et al., C.A. No. 1:05-8626
American Financial International Group-Asia, LLC, et al. v. Refco Inc., et al., C.A. No. 1:05-8988
Christopher Carmona, etc. v. Henry M. Paulson, Jr., et al., C.A. No. 1:05-9327
Thomas H. Lee Equity Fund V, L.P., et al. v. Phillip R. Bennett, et al., C.A. No. 1:05-9608
In re Refco Capital Markets, Ltd. Brokerage Customer Securities Litigation, C.A. No. 1:06-643
Thomas H. Lee Equity Fund V, L.P., et al. v. Mayer Brown LLP, et al., C.A. No. 1:07-6767
Marc S. Kirschner, etc. v. Thomas H. Lee Partners, L.P., et al., C.A. No. 1:07-7074
Axis Reinsurance Co. v. Phillip R. Bennett, et al., C.A. No. 1:07-7924
Marc S. Kirschner, etc. v. Phillip R. Bennett, et al., C.A. No. 1:07-8165

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 875 -- **IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)**

Oppositions of plaintiffs Robert F. Lyman, et al.; James Weese; Nolan Fontenot; Clyde L. Tyer; Bonnie Leray; Troy Leray; Gina Knight; J ames Samuel Warfield, et al.; Moses Sherman, et al.; John Alexander; Mary Alford, et al.; and Lida M. Muench, etc.; and defendants Peter R. Territo; American Motorists Insurance Co.; Commercial Union Insurance Co.; Travelers Indemnity Co.; John Chantrey; James O'Donnell; George Kelmell; Steven Kennedy; J.D. Roberts; Robert L. Schmitt Co., Inc.; Sullair Corp.; and Aearco Co. to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of California

Robert F. Lyman, et al. v. Union Carbide Corp., et al., C.A. No. 4:07-4240

Southern District of Illinois

James Weese v. Union Carbide Corp., et al., C.A. No. 3:07-581

Eastern District of Louisiana

Nolan Fontenot v. Chevron USA, Inc., et al., C.A. No. 2:07-2764
Clyde L. Tyer v. Union Carbide Corp., et al., C.A. No. 2:07-2777
Betty E. Lerille, et al. v. Monsanto Corp., et al., C.A. No. 2:07-3621

Western District of Louisiana

Glenn Albarado, et al. v. Eagle, Inc., et al., C.A. No. 2:07-1200

District of Maryland

James Samuel Warfield, et al. v. Northrop Grumman Ship Systems, Inc., et al., C.A. No. 1:07-1870

MDL No. 875 (Continued)

Southern District of New York

Moses Sherman, et al. v. A.J. Pegno Construction Corp., et al., C.A. No. 1:07-6433
John Alexander v. Amchem Products, Inc., et al., C.A. No. 1:07-6441

District of South Carolina

Mary Alford, et al. v. Owens-Illinois, Inc., et al., C.A. No. 2:07-2569
Lida M. Muench, etc. v. Owens-Illinois, Inc., et al., C.A. No. 2:07-2664

Eastern District of Virginia

Oris Bowers v. American Air Liquide Corp., et al., C.A. No. 4:07-3222
Irias Burnham v. American Air Liquide Corp., et al., C.A. No. 4:07-3223
Cornell Carrington v. American Air Liquide Corp., et al., C.A. No. 4:07-3224
David Faulk v. American Air Liquide Corp., et al., C.A. No. 4:07-3225
Euless Henry Hall v. American Air Liquide Corp., et al., C.A. No. 4:07-3226
Jeffrey Harrison v. American Air Liquide Corp., et al., C.A. No. 4:07-3227
Jesse Hicks v. American Air Liquide Corp., et al., C.A. No. 4:07-3228
Percy Hobbs v. American Air Liquide Corp., et al., C.A. No. 4:07-3229
Eduardo Holland v. American Air Liquide Corp., et al., C.A. No. 4:07-3230
John F. Kirby v. American Air Liquide Corp., et al., C.A. No. 4:07-3231
Charles Longnecker v. American Air Liquide Corp., et al., C.A. No. 4:07-3232
Garry Majette v. American Air Liquide Corp., et al., C.A. No. 4:07-3233
William M. Mundy v. American Air Liquide Corp., et al., C.A. No. 4:07-3234
Bonnie Neal, etc. v. American Air Liquide Corp., et al., C.A. No. 4:07-3235
Jimmy Pate v. American Air Liquide Corp., et al., C.A. No. 4:07-3236
John Pitt v. American Air Liquide Corp., et al., C.A. No. 4:07-3237
Arthur Scott v. American Air Liquide Corp., et al., C.A. No. 4:07-3238
Edward Stacknik v. American Air Liquide Corp., et al., C.A. No. 4:07-3239
Daniel Dean Terry v. American Air Liquide Corp., et al., C.A. No. 4:07-3240
James A. Thigpen v. American Air Liquide Corp., et al., C.A. No. 4:07-3241
Julius Walker v. American Air Liquide Corp., et al., C.A. No. 4:07-3242
Leroy Waters v. American Air Liquide Corp., et al., C.A. No. 4:07-3243
Larry Wilkerson v. American Air Liquide Corp., et al., C.A. No. 4:07-3244
James Winkler v. American Air Liquide Corp., et al., C.A. No. 4:07-3245
Michael Woodson v. American Air Liquide Corp., et al., C.A. No. 4:07-3246

MDL No. 875 (Continued)

Oppositions of defendants AstenJohnson, Inc.; Bondex International, Inc.; General Electric Co.; Gulf Coast Marine Supply Co., Inc.; Industrial Holdings Corp.; Komp Equipment Co., Inc.; Marine Specialty Co., Inc.; Standard Motor Products, Inc.; Turner Supply Co.; Zurn Industries, Inc.; Amsted Industries, Inc.; Garlock Sealing Technologies LLC; York International Corp.; Gulf Belting & Gasket Co., Inc.; and American Standard, Inc., to remand, under 28 U.S.C. § 1407(a), of their respective following actions to the United States District Court for the Southern District of Mississippi:

Eastern District of Pennsylvania

Gene Beazley, et al. v. A.W. Chesterton Co., et al. (S.D. Mississippi, C.A. No. 1:05-38)
William Moulder, et al. v. Monsanto Co., et al. (S.D. Mississippi, C.A. No. 1:05-39)
Willie Hamberlin, et al. v. Owens-Illinois, Inc., et al. (S.D. Mississippi, C.A. No. 1:05-41)

MDL No. 1334 -- **IN RE: MANAGED CARE LITIGATION**

Motions of plaintiff Emerson M. F. Jou, M.D., and defendants Aetna Inc.; Aetna Health Inc. PA, Corp.; Aetna Health Management, LLC; Aetna Life Insurance Co.; Aetna Health & Life Insurance Co.; Aetna Health Inc.; and Aetna Insurance Co. of Connecticut to transfer their respective following actions to the United States District Court for the Southern District of Florida:

District of Hawaii

Emerson M. F. Jou, M.D. v. Hartford Financial Services Group, Inc., C.A. No. 1:07-392

District of New Jersey

Michele Cooper v. Aetna Health Inc. PA, Corp., et al., C.A. No. 2:07-3541

MDL No. 1348 -- **IN RE: REZULIN PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs James R. Dugan, II, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of Louisiana

James R. Dugan, II, et al. v. Greg Murphy, et al., C.A. No. 2:07-4073

MDL No. 1373 -- **IN RE: BRIDGESTONE/FIRESTONE, INC., TIRES PRODUCTS LIABILITY LITIGATION**

Opposition of defendants Bridgestone Firestone North American Tire, LLC, and Ford Motor Company to remand, under 28 U.S.C. § 1407(a), of the following actions to their respective transferor courts:

Southern District of Indiana

Lourdes Lizbeth Mendivil Galaviz, et al. v. Bridgestone Corp., et al., C.A. No. 1:04-5810 (N.D. Texas, C.A. No. 3:04-429)
Antonio Guevara Mendoza, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 1:04-5797 (W.D. Texas, C.A. No. 2:03-100)
Rosa Vidrio Calvo, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 1:04-5798 (W.D. Texas, C.A. No. 2:03-108)
Marisol Gomez Lopez, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 1:04-5799 (W.D. Texas, C.A. No. 2:03-109)
Roberto Acencio Valle, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 1:04-5800 (W.D. Texas, C.A. No. 2:03-110)
Esteban Quijano Bonfil, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 1:04-5801 (W.D. Texas, C.A. No. 2:04-15)
Oliver Flores Bareno, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 1:04-5802 (W.D. Texas, C.A. No. 2:04-16)

MDL No. 1390 -- **IN RE: LIFE INSURANCE CO. OF GEORGIA INDUSTRIAL LIFE INSURANCE LITIGATION**

Opposition of defendants to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Southern District of Mississippi:

Eastern District of Louisiana

Billie A. Auld, et al. v. Life Insurance Co. of Georgia, et al., C.A. No. 2:04-2262 (S.D. Mississippi, C.A. No. 5:04-55)

MDL No. 1439 -- **IN RE: FARMERS INSURANCE EXCHANGE CLAIMS REPRESENTATIVES' OVERTIME PAY LITIGATION**

Opposition of plaintiffs Audrey Wilson, et al., to transfer of the following action to the United States District Court for the District of Oregon:

Central District of California

Audrey Wilson, et al. v. Farmers Insurance Exchange, C.A. No. 2:07-4819

MDL No. 1598 -- **IN RE: EPHEDRA PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Gerri Lynn Fihe, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of New York

Gerri Lynn Fihe, et al. v. RS Oldco, Inc., et al., C.A. No. 2:07-2833

MDL No. 1604 -- **IN RE: OCWEN FEDERAL BANK FSB MORTGAGE SERVICING LITIGATION**

Opposition of plaintiff Wendy Adelson to transfer of the following action to the United States District Court for the Northern District of Illinois:

Eastern District of Michigan

Wendy Adelson v. Ocwen Financial Corp., et al., C.A. No. 4:07-13142

MDL No. 1663 -- **IN RE: INSURANCE BROKERAGE ANTITRUST LITIGATION**

Oppositions of plaintiffs Lincoln Adventures, LLC, et al., and Supreme Auto Transport, LLC, to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Southern District of Florida

Lincoln Adventures, LLC, et al. v. Certain Underwriters at Lloyd's London, et al., C.A. No. 0:07-60991

Southern District of New York

Supreme Auto Transport, LLC v. Certain Underwriters at Lloyd's of London, et al., C.A. No. 1:07-6703

MDL No. 1715 -- **IN RE: AMERIQUEST MORTGAGE CO. MORTGAGE LENDING PRACTICES LITIGATION**

Oppositions of plaintiffs Duane O'Connor, et al., and Rosemary A. Gilroy to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

District of Minnesota

Duane O'Connor, et al. v. Ameriquest Mortgage Co., et al., C.A. No. 0:07-3669

MDL No. 1715 (Continued)

District of New Hampshire

Rosemary A. Gilroy v. Ameriquest Mortgage Co., et al., C.A. No. 1:07-74

Motion of plaintiffs Wilbert Cooley, et al., to transfer the following action to the United States District Court for the Northern District of Illinois:

Southern District of Alabama

Wilbert Cooley, et al. v. Ameriquest Mortgage, Inc., et al., C.A. No. 1:06-215

MDL No. 1718 -- **IN RE: FORD MOTOR CO. SPEED CONTROL DEACTIVATION SWITCH PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Nationwide Property & Casualty Insurance Co., etc., to transfer of the following action to the United States District Court for the Eastern District of Michigan:

Northern District of Texas

Nationwide Property & Casualty Insurance Co., etc. v. Ford Motor Co., C.A. No. 4:07-489

MDL No. 1735 -- **IN RE: WAL-MART WAGE AND HOUR EMPLOYMENT PRACTICES LITIGATION**

Oppositions of plaintiff Robert J. King and defendants Wal-Mart Stores, Inc., and the Wal-Mart Retirement Plans Committee to transfer of the following action to the United States District Court for the District of Nevada:

Eastern District of Pennsylvania

Robert J. King v. Wal-Mart Stores, Inc., et al., C.A. No. 2:07-1486

MDL No. 1769 -- **IN RE: SEROQUEL PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Ironworkers Local Union No. 68 & Participating Employers Health & Welfare Funds, et al.; AstraZeneca Pharmaceuticals, LP, et al.; and Teamsters Joint Council Local No. 53 Retiree Health & Welfare Fund to transfer of their respective following actions to the United States District Court for the Middle District of Florida:

District of New Jersey

Ironworkers Local Union No. 68 & Participating Employers Health & Welfare Funds, et al. v. AstraZeneca Pharmaceuticals, LP, et al., C.A. No. 3:07-2313
International Brotherhood of Electrical Workers Local 98 v. AstraZeneca Pharmaceuticals, LP, et al., C.A. No. 3:07-2639

Eastern District of Pennsylvania

Teamsters Joint Council Local No. 53 Retiree Health & Welfare Fund v. AstraZeneca Pharmaceuticals, LP, C.A. No. 2:07-2752

MDL No. 1784 -- **IN RE: MCDONALD'S FRENCH FRIES LITIGATION**

Opposition of plaintiffs R. Todd Merriott, et al., to transfer of the following action to the United States District Court for the Northern District of Illinois:

Western District of Missouri

R. Todd Merriott, et al. v. McDonald's Corp., et al., C.A. No. 4:07-616

MDL No. 1785 -- **IN RE: BAUSCH & LOMB INC. CONTACT LENS SOLUTION PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Donna LeBelle to transfer of the following action to the United States District Court for the District of South Carolina:

Eastern District of California

Donna LeBelle v. Bausch & Lomb, Inc., C.A. No. 2:07-1416

MDL No. 1789 -- **IN RE: FOSAMAX PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Carrie Smith, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

Central District of California

Carrie Smith, et al. v. Merck & Co., Inc., et al., C.A. No. 2:07-4655

MDL No. 1803 -- **IN RE: BANC OF AMERICA INVESTMENT SERVICES, INC., OVERTIME PAY LITIGATION**

Opposition of plaintiffs Eric Handis, et al., to transfer of the following action to the United States District Court for the Central District of California:

Southern District of Florida

Eric Handis, et al. v. Banc of America Investment Services, Inc., C.A. No. 9:07-80592

MDL No. 1816 -- **IN RE: KATZ INTERACTIVE CALL PROCESSING PATENT LITIGATION**

Opposition of plaintiff Comcast Cable Holdings, LLC, to transfer of the following action to the United States District Court for the Central District of California:

District of Delaware

Comcast Cable Holdings, LLC v. Ronald A. Katz Technology Licensing, L.P., C.A. No. 1:07-447

MDL No. 1836 -- **IN RE: MIRAPEX PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Philip L. Dowler, et al., to transfer of the following action to the United States District Court for the District of Minnesota:

Southern District of Ohio

Philip L. Dowler, et al. v. Medicine Shoppe, et al., C.A. No. 2:07-848

MDL No. 1842 -- **IN RE: KUGEL MESH HERNIA PATCH PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Melissa O. Rivers and Jon Snyder, et al., and defendant Legacy Health System to transfer of their respective following actions to the United States District Court for the District of Rhode Island:

District of Connecticut

Melissa O. Rivers v. C.R. Bard, Inc., et al., C.A. No. 3:07-1245

District of Oregon

Jon Snyder, et al. v. Davol, Inc., et al., C.A. No. 3:07-1081

MDL No. 1845 -- **IN RE: CONAGRA PEANUT BUTTER PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Lillian Katz; A.J. Ferrara, et al.; Stefanie Brodsky; Mary F. Brown, etc.; and Taikshia Jenkins to transfer of their respective following actions to the United States District Court for the Northern District of Georgia:

District of Massachusetts

Lillian Katz v. ConAgra Foods, Inc., C.A. No. 1:07-11509

District of New Mexico

A.J. Ferrara, et al. v. ConAgra Foods, Inc., C.A. No. 1:07-570

MDL No. 1845 (Continued)

Eastern District of Pennsylvania

Stefanie Brodsky v. ConAgra, Inc., C.A. No. 2:07-882

Southern District of Texas

Mary F. Brown, etc. v. ConAgra Foods, Inc., et al., C.A. No. 3:07-438
Taikshia Jenkins v. ConAgra Foods, Inc., et al., C.A. No. 4:07-2244

MDL No. 1850 -- **IN RE: PET FOOD PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Yvonne Ortiz and Valerie Sylvester, et al., to transfer of their respective following actions to the United States District Court for the District of New Jersey:

District of Hawaii

Yvonne Ortiz v. Menu Foods, Inc., et al., C.A. No. 1:07-323
Valerie Sylvester, et al. v. Menu Foods, Inc., et al., C.A. No. 1:07-409

MDL No. 1867 -- **IN RE: GENERAL MOTORS ONSTAR CONTRACT LITIGATION**

Opposition of defendant American Honda Motor Co., Inc., to transfer of the following action to the United States District Court for the Eastern District of Michigan:

Central District of California

Charlotte M. Fischer v. American Honda Motor Co., Inc., et al., C.A. No. 2:07-4303

PROCEDURES FOR ORAL ARGUMENT BEFORE THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re "East of the Rockies" Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.