

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

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

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
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December 11, 2003

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: January 29, 2004

LOCATION OF HEARING SESSION: United States Courthouse
Ceremonial Courtroom, 16th Floor
501 I Street
Sacramento, California 95814-2322

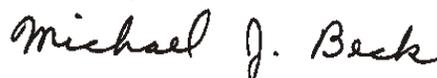
TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

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 **January 12, 2004**. 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,



Michael J. Beck
Clerk of the Panel

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
FILED

DEC. 11, 2003

MICHAEL J. BECK
CLERK OF THE PANEL

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, BRUCE M. SELYA, JULIA SMITH GIBBONS, D. LOWELL JENSEN, J. FREDERICK MOTZ AND ROBERT L. MILLER, JR., JUDGES OF THE PANEL

HEARING SESSION ORDER

IT IS ORDERED that on January 29, 2004, a hearing session will be held in Sacramento, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session 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 at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, 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 issue a subsequent notice designating 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.

FOR THE PANEL:



Wm. Terrell Hodges
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION
January 29, 2004 -- Sacramento, California

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL-1576 -- In re Janus Mutual Funds Investment Litigation

Motion of plaintiff Leona A. Marini for centralization of certain of the following actions in the United States District Court for the District of Colorado and motion of defendants Janus Capital Group, Inc., and Janus Capital Management, LLC, for centralization of the following actions in the United States District Court for the Southern District of New York:

District of Colorado

Vivian Bernstein v. Janus Capital Management, LLC, et al., C.A. No. 1:03-1798
Ronald Abrams, et al. v. Janus Fund, et al., C.A. No. 1:03-1817
John G. Hill, Jr. v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1847
Leona A. Marini, etc. v. Janus Investment Fund, et al., C.A. No. 1:03-1857
Priya Vadehera v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1871
Tara Goldstein v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1884
Vivian Bernstein v. Janus Capital Management, LLC, et al., C.A. No. 1:03-1909

District of New Jersey

Andrew D. Mule, et al. v. Strong Capital Management, Inc., et al., C.A. No. 2:03-4221
Arthur Sylvester v. Janus Capital Group, Inc., et al., C.A. No. 2:03-4261
Rhonda Vladimir v. Janus Capital Management, LLC, et al., C.A. No. 2:03-4273
May Etsen, et al. v. Janus Fund, et al., C.A. No. 2:03-4369
Robert Corwin v. Thomas H. Bailey, et al., C.A. No. 2:03-4384
Herbert Morris, etc. v. Janus Capital Management, LLC, et al., C.A. No. 2:03-4453

Southern District of New York

Carol Pestone v. Janus Capital Group, Inc., et al., C.A. No. 1:03-6760
Brian Wormley, et al. v. Janus Capital Group, Inc., et al., C.A. No. 1:03-6790

MDL-1576 (Continued)

Southern District of New York (Continued)

Selma Stone, et al. v. Janus Fund, et al., C.A. No. 1:03-6914
James Schultz v. Janus Capital Management, LLC, et al., C.A. No. 1:03-7123
Roger L. Bailey v. Janus Capital Management, LLC, et al., C.A. No. 1:03-7125
Elsie Haig, et al. v. Janus Fund, et al., C.A. No. 1:03-7218
Linda Kay Stokes, et al. v. Janus Fund, et al., C.A. No. 1:03-7333
Nechama Tepfer v. Janus Capital Group, Inc., et al., C.A. No. 1:03-7337

Eastern District of Pennsylvania

Gloria Steinberg, et al. v. Janus Capital Management, LLC, et al., C.A. No. 2:03-5048
Tom Kidwell, etc. v. Janus Capital Group, Inc., et al., C.A. No. 2:03-5242
George P. Tsetsekos, etc. v. Janus Capital Group, Inc., et al., C.A. No. 2:03-5354

MDL-1577 -- In re Strong Mutual Funds Investment Litigation

Motion of plaintiff Thomas R. Jones for centralization of the following actions in the United States District Court for the Eastern District of Wisconsin:

District of New Jersey

Andrew D. Mule, et al. v. Strong Capital Management, Inc., et al., C.A. No. 2:03-4221

Southern District of New York

Selma Stone v. Strong Advisor Common Stock Fund, et al., C.A. No. 1:03-6916

Eastern District of Wisconsin

Gregory D. Coleman, etc. v. Strong Financial Corp., et al., C.A. No. 2:03-862
James Blevins v. Strong Capital Management, Inc., et al., C.A. No. 2:03-868
Thomas R. Jones v. Strong Financial Corp., et al., C.A. No. 2:03-884
Holly Painter v. Strong Capital Management, Inc., et al., C.A. No. 2:03-895
Steve LeFavour, etc. v. Strong Financial Corp., et al., C.A. No. 2:03-897

MDL-1578 -- In re UICI "Association-Group" Insurance Litigation

Motion of defendants UICI, Mid-West National Life Insurance Company of Tennessee, and The MEGA Life & Health Insurance Company for centralization of the following actions in the United States District Court for the Northern District of Texas:

Central District of California

Debbie Correa v. UICI, Inc., et al., C.A. No. 2:03-4778
Albert J. Portune, et al. v. UICI, Inc., et al., C.A. No. 2:03-7442

Northern District of California

Sandra Lacy v. MEGA Life & Health Insurance Co., et al., C.A. No. 4:03-2852

Northern District of Mississippi

Herman Tomlin, et al. v. MEGA Life & Health Insurance Co., et al., C.A. No. 1:03-114
William E. Bailey, et al. v. MEGA Life & Health Insurance Co., et al., C.A. No. 1:03-180
Harold D. Webster, et al. v. MEGA Life & Health Insurance Co., et al., C.A. No. 1:03-274
Robert Pride, et al. v. MEGA Life & Health Insurance Co., et al., C.A. No. 2:03-147
Robert Clark, et al. v. MEGA Life & Health Insurance Co., et al., C.A. No. 2:03-246
Billy Randall Bishop v. MEGA Life & Health Insurance Co., et al., C.A. No. 3:03-103

Southern District of Texas

Frank Garcia, et al. v. MEGA Life & Health Insurance Co., et al., C.A. No. 7:03-194

MDL-1579 -- In re Sprint Corp. PCS Network Contract Litigation

Motion of defendants Sprint Corporation; Sprint Spectrum L.P.; WirelessCo, L.P.; and SprintCom, Inc., for centralization of the following actions in the United States District Court for the District of Kansas, or in the alternative, the United States District Court for the Northern District of Georgia:

Northern District of Georgia

Toronto Dominion (Texas), Inc. v. Sprint Spectrum, L.P., et al., C.A. No. 1:03-1444
iPCS, Inc., et al. v. Sprint Corp., et al., Bky. Advy. No. 1:03-6063
Official Committee of Unsecured Creditors of iPCS, Inc., iPCS Wireless, Inc. and iPCS Equipment, Inc. v. Sprint Corp., et al., Bky. Advy. No. 1:03-6464

Western District of Louisiana

U.S. Unwired, Inc., et al. v. Sprint Corp., et al., C.A. No. 2:03-1326

Southern District of Ohio

Horizon Personal Communications, Inc., et al. v. Sprint Corp., et al., C.A. No. 2:03-756

MDL-1580 -- In re Highway Accident in Buffalo County, Nebraska, on August 22, 2000

Motion of defendants Archway Cookies, LLC, and Robert Wade for centralization of the following actions in the United States District Court for the District of Nebraska:

District of Nebraska

Simona Augyte, et al. v. Greyhound Lines, Inc., et al., C.A. No. 4:02-3312
Greyhound Lines, Inc. v. Robert Wade, et al., C.A. No. 8:02-191
Debra Johnson, et al. v. Robert Wade, et al., C.A. No. 8:03-79

District of Utah

Vickie Wood, et al. v. Archway Cookies, LLC, C.A. No. 2:02-1235

MDL-1581 -- In re America Online Spin-Off Accounts Litigation

Motion of plaintiff Mary Duessent for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Mary Duessent v. America Online Inc., et al., C.A. No. 2:03-6971

Northern District of California

Christine Snow v. AOL Time Warner, Inc., et al., C.A. No. 3:03-4373

Eastern District of Washington

Suzy Dix, et al. v. ICT Group, Inc., et al., C.A. No. 2:03-315

MDL-1582 -- In re Bank One Mutual Funds Investment Litigation

Motion of defendants Bank One Corporation and Banc One Investment Advisors for centralization of the following actions in the United States District Court for the Southern District of New York and for separation and simultaneous remand of certain claims in one New Jersey action to the District of New Jersey:

Northern District of Illinois

William Pelak v. Bank One Corp., et al., C.A. No. 1:03-6591

District of New Jersey

Andrew D. Mule, et al. v. Strong Capital Management, Inc., et al., C.A. No. 2:03-4221
Andy Yijun Huang, et al. v. One Group Technology Fund, et al., C.A. No. 2:03-4514

Southern District of New York

Allan Dworkin v. One Group Technology Fund, et al., C.A. No. 1:03-6915
Charles Tischler v. Bank One Corp., et al., C.A. No. 1:03-6970
Amy Bloomfield v. Mark A. Beeson, et al., C.A. No. 1:03-6975

Southern District of Ohio

David Brett v. Bank One Corp., et al., C.A. No. 2:03-818

MDL-1584 -- In re Federal Home Loan Mortgage Corp. Securities & Derivative Litigation (No. II)

Motion of defendant Federal Home Loan Mortgage Corporation for centralization of the following actions in the United States District Court for the Eastern District of Virginia:

Southern District of New York

Roger Sprigle, et al. v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4261
Esther Sadowsky Testamentary Trust, etc. v. Leland C. Brendsel, et al., C.A. No. 1:03-4910

Southern District of Ohio

Ohio Public Employees Retirement System, et al. v. Federal Home Loan Mortgage Corp., et al., C.A. No. 2:03-711

MDL-1585 -- In re Bank of America Mutual Funds Investment Litigation

Motion of plaintiffs Jean Marie Maggi, et al., for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Leann Lin v. Bank of America Corp., et al., C.A. No. 2:03-6330
Kathleen A. Sussman, et al. v. Nations Capital Growth Fund, et al., C.A. No. 2:03-6957
Jean Marie Maggi, et al. v. Bank of America Corp., et al., C.A. No. 2:03-7249

District of New Jersey

John Golisano v. Bank of America Corp., et al., C.A. No. 2:03-4230
Roderick Rohrer v. Nations Capital Growth Fund, et al., C.A. No. 2:03-4496

Southern District of New York

Samuel T. Cohen v. Nations Capital Growth Fund, et al., C.A. No. 1:03-6847

MDL-1586 -- In re Mutual Funds Investment Litigation

Motion of defendants Canary Capital Partners, LLC; Canary Capital Partners, Ltd.; Canary Investment Management, LLC; and Edward Stern for centralization of the following actions in the United States District Court for the Southern District of New York:

Central District of California

Leann Lin v. Bank of America Corp., et al., C.A. No. 2:03-6330
Kathleen A. Sussman, et al. v. Nations Capital Growth Fund, et al., C.A. No. 2:03-6957

District of Colorado

Vivian Bernstein, et al. v. Janus Capital Management, LLC, et al., C.A. No. 1:03-1798
Ronald Abrams, et al. v. Janus Fund, et al., C.A. No. 1:03-1817
John G. Hill, Jr. v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1847
Leona A. Marini, etc. v. Janus Investment Fund, et al., C.A. No. 1:03-1857
Priya Vadehera v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1871
Tara Goldstein v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1884
Vivian Bernstein v. Janus Capital Management, LLC, et al., C.A. No. 1:03-1909
John R. Lang, et al. v. Janus Fund, et al., C.A. No. 1:03-1942
William Silverman v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1965
Richard Kaufman v. Janus Capital Group, Inc., et al., C.A. No. 1:03-1966

Northern District of Illinois

William Pelak v. Bank One Corp., et al., C.A. No. 1:03-6591
Glen Robinson v. One Group International Equity Index Fund, et al., C.A. No. 1:03-6986
Norman Maged v. One Group Technology Fund, et al., C.A. No. 1:03-7029

District of New Jersey

Andrew D. Mule, et al. v. Strong Capital Management, Inc., et al., C.A. No. 2:03-4221
John Golisano v. Bank of America Corp., et al., C.A. No. 2:03-4230
Arthur Sylvester v. Janus Capital Group, Inc., et al., C.A. No. 2:03-4261
Rhonda Vladimir v. Janus Capital Management LLC, et al., C.A. No. 2:03-4273
May Etsen, et al. v. Janus Fund, et al., C.A. No. 2:03-4369
Robert Corwin v. Thomas H. Bailey, et al., C.A. No. 2:03-4384

MDL-1586 (Continued)

District of New Jersey (Continued)

Robert K. Finnell, etc. v. Bank of America Corp., et al., C.A. No. 2:03-4446
Herbert Morris v. Janus Capital Management, LLC, et al., C.A. No. 2:03-4453
Andy Yijun Huang, et al. v. One Group Technology Fund, et al., C.A. No. 2:03-4514
Robert Garfield, et al. v. Banc of America Capital Management, LLC, et al.,
C.A. No. 2:03-4855

Eastern District of New York

Felicia Bernstein, etc. v. Alliance Capital Management Holding, LP, et al.,
C.A. No. 2:03-5087

Southern District of New York

Carol Pestone v. Janus Capital Group, Inc., et al., C.A. No. 1:03-6760
Brian Wormley, et al. v. Janus Capital Group, Inc., et al., C.A. No. 1:03-6790
Samuel T. Cohen v. National Capital Growth Fund, et al., C.A. No. 1:03-6847
Selma Stone, et al. v. Janus Fund, et al., C.A. No. 1:03-6914
Allan Dworkin v. One Group Technology Fund, et al., C.A. No. 1:03-6915
Selma Stone v. Strong Advisor Common Stock Fund, et al., C.A. No. 1:03-6916
Tom Torelli v. Strong Financial Corp., et al., C.A. No. 1:03-6969
Charles Tischler v. Bank One Corp., et al., C.A. No. 1:03-6970
Amy Bloomfield v. Mark A. Beeson, et al., C.A. No. 1:03-6975
James Schultz v. Janus Capital Management, LLC, et al., C.A. No. 1:03-7123
Roger L. Bailey v. Janus Capital Management, LLC, et al., C.A. No. 1:03-7125
Elsie Haig, et al. v. Janus Fund, et al., C.A. No. 1:03-7218
David Kuperschmid v. Strong Capital Management, Inc., et al., C.A. No. 1:03-7287
Jack Yarbrough, et al. v. Janus Fund, et al., C.A. No. 1:03-7333
Nechama Tepfer v. Janus Capital Group, Inc., C.A. No. 1:03-7337
Lori Reinhardt v. Strong Advisor Common Stock Fund, et al., C.A. No. 1:03-7438
Wathena Ann Forsee v. Janus Fund, et al., C.A. No. 1:03-7654
James M. Archinaco v. Janus Capital Group, Inc., et al., C.A. No. 1:03-7745
Nada Hindo, et al. v. AllianceBernstein Growth & Income Fund, C.A. No. 1:03-7765
John Armentano v. Janus Fund, et al., C.A. No. 1:03-7766

MDL-1586 (Continued)

Southern District of New York (Continued)

Isidore Zimmerman v. Thomas H. Bailey, C.A. No. 1:03-7910
George W. Bookhout, et al. v. Alliance Capital Management Holding, L.P., et al.,
C.A. No. 1:03-7955

Southern District of Ohio

David Brett v. Bank One Corp., et al., C.A. No. 2:03-818
Pamela Dunlap v. One Group Technology Fund, et al., C.A. No. 2:03-916

Eastern District of Pennsylvania

Gloria Steinberg, et al. v. Janus Capital Management, LLC, et al., C.A. No. 2:03-5048
Tom Kidwell, etc. v. Janus Capital Group, Inc., et al., C.A. No. 2:03-5242
George P. Tsetsekos, etc. v. Janus Capital Group, Inc., et al., C.A. No. 2:03-5354

Eastern District of Wisconsin

Gregory D. Coleman, etc. v. Strong Financial Corp., et al., C.A. No. 2:03-862
James Blevins v. Strong Capital Management, Inc., et al., C.A. No. 2:03-868
Jenell Marie Halvorson v. Strong Advisor Common Stock Fund, et al., C.A. No. 2:03-872
Thomas R. Jones v. Strong Financial Corp., et al., C.A. No. 2:03-884
Holly Painter v. Strong Capital Management, Inc., et al., C.A. No. 2:03-895
Congregation Ohel Torah v. Strong Capital Management, Inc., et al., C.A. No. 2:03-896
Steve LeFavour, etc. v. Strong Financial Corp., Inc., et al., C.A. No. 2:03-897
Jackson T. Ferris, et al. v. Strong Capital Management, Inc., et al., C.A. No. 2:03-998

MDL-1587 -- In re JetBlue Airways Corp. Privacy Litigation

Motion of defendant JetBlue Airways Corporation for centralization of the following actions in the United States District Court for the Eastern District of New York:

Central District of California

D. Turrett, et al. v. JetBlue Airways Corp., C.A. No. 2:03-6785

Eastern District of New York

Susan Florence v. JetBlue Airways Corp., et al., C.A. No. 1:03-4847

Elliot B. Richman v. JetBlue Airways Corp., et al., C.A. No. 1:03-4859

Maurice Hakim v. JetBlue Airways Corp., et al., C.A. No. 1:03-4895

Deborah Seidband v. JetBlue Airways Corp., C.A. No. 1:03-4933

David Block v. JetBlue Airways Corp., C.A. No. 1:03-4963

Nicholas R. Singleton v. JetBlue Airways Corp., C.A. No. 1:03-5011

Wesley B. Fleet v. JetBlue Airways Corp., C.A. No. 1:03-5017

Kathryn Mortenson v. JetBlue Airways Corp., et al., C.A. No. 1:03-5209

MDL-1588 -- In re "Second Generation" Blood Factor Concentrate Products Liability Litigation

Motion of plaintiffs Domenico Gullone, et al., for centralization of the following actions in the United States District Court for the Northern District of Illinois or, in the alternative, the United States District Court for the Northern District of California:

Northern District of California

Domenico Gullone, et al. v. Bayer Corp., et al., C.A. No. 3:03-2572

Southern District of Florida

Carlos Abad, et al. v. Bayer, AG, et al., C.A. No. 0:03-61924

Diego Ceferino Venturini, et al. v. Bayer AG, et al., C.A. No. 0:03-61925

MDL-1590 -- In re Putnam Mutual Funds Investment Litigation

Motion of Putnam Funds defendants for centralization of the following actions in the United States District Court for the District of Massachusetts and for separation and simultaneous remand of claims against the Evergreen defendants in the Illinois action to the Southern District of Illinois:

Northern District of California

Jacqueline Burton, et al. v. Marsh & McLennan Companies, Inc., et al.,
C.A. No. 3:03-4973

District of Delaware

Zachary Alan Starr, etc. v. Putnam Investment Management, Inc., et al.,
C.A. No. 1:03-1023

Southern District of Illinois

Carl Kircher, et al. v. Putnam Funds Trust, et al., C.A. No. 3:03-691

District of Massachusetts

Diane Saunders v. Putnam American Government Income Fund, C.A. No. 1:03-12086

Sally A. Bulawsky, et al. v. Marsh & McLennan Companies, Inc., et al.,

C.A. No. 1:03-12094

Samuel M. Troutman, et al. v. Putnam American Government Income Fund, et al.,

C.A. No. 1:03-12116

Lawrence E. Jaffe, etc. v. Putnam American Government Income Fund, et al.,

C.A. No. 1:03-12162

Miranda Zuber, et al. v. Putnam Investment Management, LLC, C.A. No. 1:03-12175

Sara Gurno, et al. v. Putnam American Government Income Fund, et al.,

C.A. No. 1:03-12196

Ann Schneps Dubin, et al. v. Putnam Investment Management, LLC, C.A. No. 1:03-12209

Rochelle Meyer, etc. v. Putnam International Voyager Fund, et al., C.A. No. 1:03-12214

MDL-1590 (Continued)

Southern District of New York

Shelia Schulman, et al. v. Putnam American Government Income Fund, et al.,
C.A. No. 1:03-8323

Dawn Maniskas v. Putnam American Government Income Fund, et al., C.A. No. 1:03-8368

Salvatore Piliere v. Putnam Global Income Trust, et al., C.A. No. 1:03-8407

Paul Angotta, et al. v. Putnam American Government Income Fund, et al.,
C.A. No. 1:03-8651

Kristin Garfield v. Putnam American Government Income Fund, et al., C.A. No. 1:03-8683

Ingeborg Engeler v. Putnam Investments Trust, et al., C.A. No. 1:03-8720

MDL-1591 -- In re Alliance Capital Mutual Funds Investment Litigation

Motion of defendants Alliance Capital Management, L.P.; Alliance Capital Management Holding, L.P.; and Alliance Capital Management Corporation for centralization of the following actions in the United States District Court for the Southern District of New York:

District of New Jersey

Milton Pfeiffer v. Alliance Capital Management, L.P., C.A. No. 2:03-4724

Roger Jee v. Alliance Capital Management Holding, L.P., et al., C.A. No. 2:03-4895

Marvin Goldfarb v. Alliance Bernstein Growth & Income Fund, Inc., et al.,
C.A. No. 2:03-4962

Eastern District of New York

Felicia Bernstein v. Alliance Capital Management Holding, L.P., et al.,
C.A. No. 2:03-5087

Robert K. Finnell v. Alliance Capital Management Holding, L.P., et al.,
C.A. No. 2:03-5345

MDL-1591 (Continued)

Southern District of New York

Nada Hindo, et al. v. Alliance Capital Management Holding, L.P., et al.,
C.A. No. 1:03-7765

George W. Bookhout, et al. v. Alliance Capital Management Holding, L.P., et al.,
C.A. No. 1:03-7955

Charles Healy v. Alliance Capital Management Holding, L.P., et al., C.A. No. 1:03-8008

Richard J. Abt v. Alliance Capital Management Holding, L.P., et al., C.A. No. 1:03-8202

Tracy Silverman v. Alliance Capital Management Holding, L.P., et al., C.A. No. 1:03-8274

Marlene Seybold v. Alliance Capital Management Holding, L.P., et al., C.A. No. 1:03-8278

Martine Stansbery, Jr. v. AXA Financial, Inc., C.A. No. 1:03-8282

Michael Bernstein, et al. v. Alliance Capital Management Holding, L.P., et al.,
C.A. No. 1:03-8350

Regina Kopelowitz v. AllianceBernstein Growth & Income Fund, Inc., et al.,
C.A. No. 1:03-8372

Robin Fernhoff, et al. v. AllianceBernstein Growth & Income Fund, Inc., et al.,
C.A. No. 1:03-8402

Timothy J. Plank v. Alliance Capital Management Holding, L.P., et al., C.A. No. 1:03-8466

Israel Grafstein v. AXA Financial, Inc., et al., C.A. No. 1:03-8685

Gary Frost v. Alliance Capital Management Holding, L.P., et al., C.A. No. 1:03-8722

Lori Weinrib v. AllianceBernstein Growth & Income Fund, Inc., et al., C.A. No. 1:03-8915

Blanchard D. Smith, Jr. v. AllianceBernstein Growth & Income Fund, Inc., et al.,
C.A. No. 1:03-8981

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Southern District of Mississippi

James A. Hammons v. Illinois Central Railroad Co., C.A. No. 1:03-626
James A. Hammons v. Illinois Central Railroad Co., C.A. No. 1:03-627
Earlie B. Hales, et al. v. 3M Co., C.A. No. 1:03-684
Bert McDaniel, et al. v. Owens-Illinois, Inc., C.A. No. 1:03-694
Marvin Jefferson, et al. v. A. M. Lockett & Co., Ltd., et al., C.A. No. 1:03-733
William Gilbert, et al. v. Minnesota Mining & Manufacturing Co., C.A. No. 1:03-736
Robert L. Harrison, et al. v. Allied Signal, Inc., et al., C.A. No. 1:03-741
Charles Lee Ellis v. Viacom, Inc., et al., C.A. No. 1:03-747

Northern District of Ohio

Laura A. Evans v. Foseco, Inc., et al., C.A. No. 1:03-20009

Northern District of Texas

William "Bill" Perreault v. Buffalo Pumps, Inc., et al., C.A. No. 3:03-1610

Western District of Washington

Gerald Ireton, et al. v. Kaiser Ventures, LLC, et al., C.A. No. 2:03-2840

MDL-1060 -- In re Baxter Healthcare Corp. Gammagard Products Liability Litigation

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

Southern District of Florida

Lynn Szott, et al. v. Baxter Healthcare Corp., C.A. No. 9:03-80693

MDL-1132 -- In re Exterior Insulation Finish System (EIFS) Products Liability Litigation

Opposition of plaintiffs Bobby R. Luna, et al., to transfer of the following action to the United States District Court for the Eastern District of North Carolina:

Middle District of Tennessee

Bobby R. Luna, et al. v. Dryvit Systems, Inc., C.A. No. 3:03-827

MDL-1143 -- In re Mutual Life Insurance Company of New York Premium Litigation

Opposition of plaintiff James Roy Arvell Johnson to transfer of the following action to the United States District Court for the District of Massachusetts:

Southern District of Mississippi

James Roy Arvell Johnson v. Mutual Life Insurance Co. of New York, et al.,
C.A. No. 5:03-466

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products
Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of New York

Carla Adiansingh v. American Home Products Corp., et al., C.A. No. 1:03-3594
Michael Edmonds v. American Home Products Corp., et al., C.A. No. 1:03-3595
Anaflore V. Gourgue v. American Home Products Corp., et al., C.A. No. 1:03-4122
Tonya Johnson v. American Home Products Corp., et al., C.A. No. 1:03-4123
Laurie L. Cohen v. American Home Products Corp., et al., C.A. No. 1:03-4357

Southern District of New York

Lakisha M. Carpenter v. American Home Products Corp., et al., C.A. No. 1:03-5931
Ellen M. Carey, et al. v. American Home Products Corp., et al., C.A. No. 1:03-6657

Northern District of Texas

Theresa Lewis v. Wyeth, Inc., et al., C.A. No. 1:03-166
Carol Kaye Hopper Warrick v. Wyeth-Ayerst Laboratories, et al., C.A. No. 3:03-1593
Sandra Bever v. Wyeth, et al., C.A. No. 3:03-1795
Michael McDonald v. Wyeth, Inc., et al., C.A. No. 3:03-1941
Donna Tait v. Wyeth, Inc., et al., C.A. No. 3:03-1942
Pamela Gray v. Wyeth, Inc., et al., C.A. No. 3:03-1960
Jim S. Humphries, et al. v. Wyeth, Inc., et al., C.A. No. 3:03-2076
Clifton Bode, et al. v. Wyeth, Inc., et al., C.A. No. 3:03-2081
Pamela Allen, et al. v. Wyeth, et al., C.A. No. 4:03-875
Maudie Mclaughlin v. Wyeth, Inc., et al., C.A. No. 4:03-1001
Steven Pardue, et al. v. Wyeth, et al., C.A. No. 6:03-81

Southern District of Texas

Cynthia Creel, et al. v. Wyeth, Inc., et al., C.A. No. 3:03-822
Mary Cain v. Wyeth, et al., C.A. No. 4:03-2571
Mary Goscinski, et al. v. Wyeth, et al., C.A. No. 4:03-2832
Donna Halbardier v. Wyeth, Inc., C.A. No. 4:03-3490

MDL-1203 (Continued)

Western District of Texas

Angel D. Turner v. Wyeth, et al., C.A. No. 1:03-648
Karen Moffett v. Wyeth, Inc., et al., C.A. No. 2:03-69
Brenda F. Barber v. Wyeth, et al., C.A. No. 3:03-379
Maralene R. Anderson v. Wyeth, et al., C.A. No. 5:03-873
Margaret A. Morin, et al. v. Wyeth, Inc., et al., C.A. No. 5:03-879
Robin Reed, et al. v. Wyeth, Inc., et al., C.A. No. 5:03-895
Leah Stephens v. Wyeth, et al., C.A. No. 6:03-270
Deeann Avalos, et al. v. Wyeth, et al., C.A. No. 6:03-280
Brenda K. Owen v. Wyeth, et al., C.A. No. 6:03-281
Vurlee Brown, et al. v. Wyeth, et al., C.A. No. 6:03-283

Western District of Washington

Duane E. Smith, Jr. v. Wyeth, et al., C.A. No. 2:03-2557
Tracy McFadden, et al. v. Wyeth Corp., et al., C.A. No. 3:03-5447
Margaret C. McClellan v. Wyeth, et al., C.A. No. 3:03-5448

MDL-1261 -- In re Linerboard Antitrust Litigation

Opposition of plaintiff Farmland National Beef Packing Co., L.P., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

District of Kansas

Farmland National Beef Packing Co., L.P. v. Stone Container Corp., et al.,
C.A. No. 6:03-1312

MDL-1290 -- In re Lorazepam and Clorazepate Antitrust Litigation

Opposition of plaintiffs Mylan Pharmaceuticals, Inc., et al., to transfer of the following actions to the United States District Court for the District of District of Columbia:

Northern District of West Virginia

Mylan Pharmaceuticals, Inc., et al. v. Morvillo, Abramowitz, Grand, Iason & Silberberg, P.C., et al., C.A. No. 1:03-16

Mylan Pharmaceuticals, Inc., et al. v. Clifford Chance U.S., LLP, et al., C.A. No. 1:03-180

MDL-1311 -- In re Methionine Antitrust Litigation

Opposition of defendants Novus International, Inc.; Rhone-Poulenc Animal Nutrition, Inc.; Rhone-Poulenc Ag Company, Inc.; Mitsui & Co. (USA), Inc.; Nippon Soda Company, Ltd.; Degussa Corporation; and Degussa AG to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Eastern District of Wisconsin:

Northern District of California

West Bend Elevator, Inc. v. Rhone-Poulenc, S.A., et al., C.A. No. 3:00-3961
(E.D. Wisconsin, C.A. No. 2:00-701)

MDL-1334 -- In re Managed Care Litigation

Opposition of plaintiff Frank A. Briglia, M.D., MPH to transfer of the following action to the United States District Court for the Southern District of Florida:

Eastern District of Pennsylvania

Frank A. Briglia, M.D., MPH v. Aetna U.S. Healthcare, Inc., C.A. No. 2:03-4262

MDL-1348 -- In re Rezulin Products Liability Litigation

Oppositions of plaintiffs and defendant David Lester, M.D., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Central District of California

Lorenza Waters v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7125
Candace Arney v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7129
Dorothy Prince v. Warner-Lambert Co., et al., C.A. No. 2:03-7132
Francisco Navarro v. Warner-Lambert Co., et al., C.A. No. 2:03-7134
Robert Barnes v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7138
Lillie Bright v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7139
Rogina Asmar v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7140
Samvel Drmoyan v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7141
Alfred Bordighi v. Warner-Lambert Co., et al., C.A. No. 2:03-7142
Ola Mae Brown v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7143
James Barbaro v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7144
Juanita Tate v. Warner-Lambert Co., et al., C.A. No. 2:03-7145
Stefi Biafora v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7146
Ella Hollingsworth v. Warner-Lambert Co., LLC, et al., C.A. No. 2:03-7589
James Downey v. Warner-Lambert Co., et al., C.A. No. 2:03-7607

Eastern District of California

Cathy Aguilar v. Warner-Lambert Co., et al., C.A. No. 1:03-6369
Jean Dupuy v. Warner-Lambert Co., et al., C.A. No. 1:03-6370
Jose Castorena v. Warner-Lambert Co., et al., C.A. No. 1:03-6371

Northern District of California

Alethiae D. Marchese v. Warner-Lambert Co., et al., C.A. No. 3:03-4494
Diane G. Hussain v. Warner-Lambert Co., LLC, et al., C.A. No. 3:03-4495
Ted Dulac v. Warner-Lambert Co., et al., C.A. No. 3:03-4497
Joyce Gilmore v. Warner-Lambert Co., et al., C.A. No. 3:03-4498

Southern District of California

Teresa Michael v. Warner-Lambert Co., et al., C.A. No. 3:03-1978
Paul Dumpson v. Warner-Lambert Co., et al., C.A. No. 3:03-1979

MDL-1348 (Continued)

Southern District of California (Continued)

David Guerrieri v. Warner-Lambert Co., et al., C.A. No. 3:03-1980
Henry Cole v. Warner-Lambert Co., et al., C.A. No. 3:03-1981

District of Minnesota

Richard Hall, etc. v. Warner-Lambert Co., et al., C.A. No. 0:03-5445

Eastern District of Missouri

Tamberly Gibson v. Warner-Lambert Co., et al., C.A. No. 4:03-1253
Herbert Feemster v. Warner-Lambert Co., et al., C.A. No. 4:03-1255
Archie Cox, et al. v. Warner-Lambert Co., et al., C.A. No. 4:03-1256
Joanne Stressenger v. Warner-Lambert Co., et al., C.A. No. 4:03-1259

Eastern District of Oklahoma

Linda Chambers, etc. v. Warner-Lambert Co., Inc., et al., C.A. No. 6:03-479

Southern District of Texas

Diana Bazan, et al. v. Parke-Davis, et al., C.A. No. 2:03-313
Josefina Casillas, et al. v. Parke-Davis, et al., C.A. No. 5:03-116
Salome Medina, et al. v. Parke-Davis, et al., C.A. No. 7:03-233

Western District of Texas

Antonio Cobos, et al. v. Parke-Davis, et al., C.A. No. 3:03-318

MDL-1369 -- In re Napster, Inc., Copyright Litigation

Opposition of plaintiffs UMG Recordings, Inc., et al., to transfer of the following action to the United States District Court for the Northern District of California:

Central District of California

UMG Recordings, Inc., et al. v. Hummer Winblad Venture Partners, et al.,
C.A. No. 2:03-2785

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Opposition of plaintiffs Sean Milner, et al., to transfer of the following action to the United States District Court for the Southern District of Indiana:

Southern District of Mississippi

Sean Milner, et al. v. Johnny Turner, et al., C.A. No. 3:03-1138

MDL-1387 -- In re ProteGen Sling and Vesica System Products Liability Litigation

Oppositions of plaintiffs Mary Pat Richardson, et al., and Evelyn Yoe, et al., and defendant Samuel Spigelman, M.D., to transfer of their respective following actions to the United States District Court for the District of Maryland:

Central District of California

Mary Pat Richardson, et al. v. Boston Scientific Corp., et al., C.A. No. 2:03-6758

Northern District of Ohio

Evelyn Yoe, et al. v. Boston Scientific Corp., C.A. No. 1:03-1588

MDL-1390 -- In re Life Insurance Co. of Georgia Industrial Life Insurance Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Northern District of Georgia

Jim Donald, et al. v. Life Insurance Co. of Georgia, C.A. No. 1:03-2514
Margaret Spradling, et al. v. Life Insurance Co. of Georgia, C.A. No. 1:03-2515
Pearline Frazier, et al. v. Life Insurance Co. of Georgia, C.A. No. 1:03-2516
Ada Freeman, et al. v. Life Insurance Co. of Georgia, C.A. No. 1:03-2517
Laura Ayers, et al. v. Life insurance Co. of Georgia, C.A. No. 1:03-2896
Lula Stinson, et al. v. Life Insurance Co. of Georgia, C.A. No. 1:03-2897

Northern District of Mississippi

Eloise W. Hollis v. Life Insurance Co. of Georgia, C.A. No. 1:03-315
Estella Dennis v. Life Insurance Co. of Georgia, C.A. No. 2:03-327

Southern District of Mississippi

Ella Lee Williams, et al. v. Life Insurance Co. of Georgia, C.A. No. 1:03-761
Julia Mallett v. Life Insurance Co. of Georgia, C.A. No. 3:03-1160
Cora L. Gulley, et al. v. Life Insurance Co. of Georgia, C.A. No. 4:03-330
Mary Gooden Hunt v. Life Insurance Co. of Georgia, C.A. No. 5:03-498

Western District of Tennessee

Margarite Austin, et al. v. Life Insurance Co. of Georgia, C.A. No. 2:03-2710
James Gregory, et al. v. Life Insurance Co. of Georgia, C.A. No. 2:03-2711
Barbara Pender, et al. v. Life Insurance Co. of Georgia, C.A. No. 2:03-2712

MDL-1395 -- In re The Western & Southern Life Insurance Co. Industrial Life Insurance Litigation

Opposition of plaintiff Tavette Mynatt to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Northern District of Ohio

Tavette Mynatt v. Western & Southern Life Insurance Co., C.A. No. 1:03-2098

MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Oppositions of plaintiffs Theresa Noud, et al., and Barbara R. Gleich to transfer of their respective following actions to the United States District Court for the Western District of Washington:

Southern District of Illinois

Theresa Noud, et al. v. Chattem, Inc., et al., C.A. No. 3:03-615

Eastern District of Missouri

Barbara R. Gleich v. Thompson Medical Co., Inc., et al., C.A. No. 4:03-1297

MDL-1431 -- In re Baycol Products Liability Litigation

Oppositions of plaintiffs and defendant Michael Carter, M.D., to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Northern District of Alabama

Melba Wells v. Bayer AG, et al., C.A. No. 5:03-2518

Southern District of Alabama

David Muscat, et al. v. Bayer Corp., et al., C.A. No. 1:03-506

MDL-1431 (Continued)

Southern District of Indiana

Michael D. McDaniel v. Bayer Corp., C.A. No. 1:03-1014

Southern District of Mississippi

Leronious Gavin v. Bayer AG, et al., C.A. No. 2:03-455
Mary Emmons v. Bayer AG, et al., C.A. No. 2:03-456
Mary King v. Bayer AG, et al., C.A. No. 2:03-457
Iva Rigby v. Bayer AG, et al., C.A. No. 3:03-1038
Ruby Washington v. Bayer AG, et al., C.A. No. 3:03-1039
John Moore v. Bayer AG, et al., C.A. No. 3:03-1040
Bernice Scott v. Bayer AG, et al., C.A. No. 3:03-1041
Ada Boone v. Bayer AG, et al., C.A. No. 3:03-1042
Shirley Brown v. Bayer AG, et al., C.A. No. 3:03-1043
Johnnie Logan v. Bayer AG, et al., C.A. No. 3:03-1056
Sally Herrington v. Bayer AG, et al., C.A. No. 3:03-1067
Dennis Harrell v. Bayer AG, et al., C.A. No. 3:03-1068
Sular Jones v. Bayer AG, et al., C.A. No. 4:03-337
Willie Harris v. Bayer AG, et al., C.A. No. 5:03-446

Southern District of New York

Robert Jones, et al. v. Bayer AG, et al., C.A. No. 7:03-2522

Northern District of Texas

Robert Depa, et al. v. Bayer AG, et al., C.A. No. 3:03-1764

MDL-1446 -- In re Enron Corp. Securities, Derivative & "ERISA" Litigation

Opposition of plaintiff Mark B. Schreiber, etc., to transfer of the following action to the United States District Court for the Southern District of Texas:

Western District of Texas

Mark B. Schreiber, etc. v. J.P. Morgan Chase & Co., C.A. No. 1:03-684

MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

Opposition of defendant Gilead Sciences, Inc., to transfer of the following action to the United States District Court for the District of Massachusetts:

Southern District of New York

County of Westchester v. Abbott Laboratories, Inc., et al., C.A. No. 7:03-6178

MDL-1477 -- In re Serzone Products Liability Litigation

Oppositions of plaintiffs Voncile Bryant, et al., and Marla Puma to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Southern District of Mississippi

Voncile Bryant, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 3:03-1071

Northern District of Texas

Marla Puma v. Bristol-Myers Squibb Co., et al., C.A. No. 3:03-1843

MDL-1487 -- In re WorldCom, Inc., Securities & "ERISA" Litigation

Oppositions of plaintiffs Ron G. Crane, et al.; Inter-Local Pension Fund of the Graphic Communications International Union; Local 803 DuPage County Cement Masons Local 803 Pension Fund; Local 701 Electrical Workers I.B.E.W. Pension Plan, et al.; and Asbestos Workers Local 12 Annuity Fund to transfer of their respective following actions to the United States District Court for the Southern District of New York:

District of Idaho

Ron G. Crane, et al. v. Bernard J. Ebbers, et al., C.A. No. 1:03-349

Northern District of Illinois

Inter-Local Pension Fund of the Graphic Communications International Union v. Citigroup, Inc., et al., C.A. No. 1:03-6185

Local 803 DuPage County Cement Masons Local 803 Pension Fund v. Bernard J. Ebbers, et al., C.A. No. 1:03-6187

Local 701 Electrical Workers I.B.E.W. Pension Plan, et al. v. Bernard J. Ebbers, et al., C.A. No. 1:03-6227

Eastern District of New York

Asbestos Workers Local 12 Annuity Fund v. Citigroup, Inc., et al., C.A. No. 1:03-4554

MDL-1507 -- In re Prempro Products Liability Litigation

Oppositions of plaintiffs and defendants Pharmacia & Upjohn Company and Bristol-Myers Squibb Company to transfer of their respective following actions to the United States District Court for the Eastern District of Arkansas:

Eastern District of California

Gayle Fitzpatrick v. Wyeth Pharmaceuticals, C.A. No. 2:03-1705

Northern District of Mississippi

Elizabeth W. Hooker, etc. v. Wyeth, Inc., et al., C.A. No. 2:03-272

MDL-1507 (Continued)

Eastern District of Texas

Maxine Linscomb, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-486
Diana Watson, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-487
Judy Thibodeaux, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-530
Bobby Barnhart, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-576
Doris Gordon, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-643
Deane Barrios, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-790
Ava Lee Anderson, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-886
Patty Hopper, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-332
Virginia Coppick v. Wyeth, Inc., et al., C.A. No. 4:03-345
Kathryn Christensen v. Wyeth, Inc., et al., C.A. No. 5:03-213
Francis Ray, et al. v. Wyeth, Inc., et al., C.A. No. 6:03-381
Cherlyn Whitaker, et al. v. Wyeth, Inc., et al., C.A. No. 6:03-404
Patsy Lee Jackson, et al. v. Wyeth, Inc., et al., C.A. No. 9:03-199
Shirley Burnitt, etc. v. Wyeth, Inc., et al., C.A. No. 9:03-207
Johnnie B. Wells, et al. v. Wyeth, Inc., et al., C.A. No. 9:03-208
Sandra S. Honeycutt v. Wyeth, Inc., et al., C.A. No. 9:03-233

Northern District of Texas

Kaye Spalding v. Wyeth, Inc., et al., C.A. No. 1:03-159
Kaethe F.E. Francis v. Wyeth, Inc., et al., C.A. No. 1:03-160
Sylvia Holwick, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-161
Kathy Ashlock, et al. v. Wyeth, Inc., et al., C.A. No. 2:03-239
Sharon Mack v. Wyeth, Inc., et al., C.A. No. 3:03-1947
Mary Culp v. Wyeth, Inc., et al., C.A. No. 5:03-201

Southern District of Texas

Jane Alley Meldahl, et al. v. Wyeth, Inc., et al., C.A. No. 3:03-611
Mary Davis, et al. v. Wyeth, Inc., et al., C.A. No. 3:03-798
Bettye Mae Campbell v. Wyeth, Inc., et al., C.A. No. 4:03-3032
Sandra F. Woods, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3163
Carolyn Ann Dacus, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3166
Doris Vater v. Wyeth, Inc., et al., C.A. No. 4:03-3167
Angelina Gestada, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3176

MDL-1507 (Continued)

Southern District of Texas (Continued)

Betty J. Garner, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3177
Annette Rich v. Wyeth, Inc., et al., C.A. No. 4:03-3178
Carolyn Ann Grant, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3189
Autumn Lund v. Wyeth, Inc., et al., C.A. No. 4:03-3190
Cheryl Parker-Storoe v. Wyeth, Inc., et al., C.A. No. 4:03-3197
Betty Bradley, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3198
Gail Diane Hardwick, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3200
Gloria T. McGlothen, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3201
Bennie Porter v. Wyeth, Inc., et al., C.A. No. 4:03-3202
Yvonne Graves v. Wyeth, Inc., et al., C.A. No. 4:03-3203
Maxine Jeneil Tye v. Wyeth, Inc., et al., C.A. No. 4:03-3218
Joanne Seipel, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3219
Barbara L. Hubbard v. Wyeth, Inc., et al., C.A. No. 4:03-3237
Julia Hart v. Wyeth, Inc., et al., C.A. No. 4:03-3238
Shelly Jean Brooks v. Wyeth, Inc., et al., C.A. No. 4:03-3239
Lillie Padilla, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3250
Maria Isabel Guerra, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3251
Nel Merritt, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3259
Patricia Smith v. Wyeth, Inc., et al., C.A. No. 4:03-3261
Beth Newton, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3264
Betty Orender v. Wyeth, Inc., et al., C.A. No. 4:03-3301
Wynonia Margarite Peek, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3302
Linda Lewis Vogt v. Wyeth, Inc., et al., C.A. No. 4:03-3303
Esther Reynolds v. Wyeth, Inc., et al., C.A. No. 4:03-3304
Joanna Joyvies, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3305
Doris J. Mochman, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3372
Joann Townsend v. Wyeth, Inc., et al., C.A. No. 4:03-3373
Callie Marie Nickerson v. Wyeth, Inc., C.A. No. 4:03-3477
Ester K. Helliksen, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3507
Gladys O. Peschka v. Wyeth, Inc., C.A. No. 4:03-3512
Azra Irshad, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3693
Dollie Spicer Beal, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3722
Betty Jean Bingham, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-3723

MDL-1507 (Continued)

Southern District of Texas (Continued)

Debbie Tobor, etc. v. Wyeth, Inc., et al., C.A. No. 4:03-3864
Connie Vinton v. Wyeth, Inc., et al., C.A. No. 4:03-3865
Louise Lorraine Enge v. Wyeth, Inc., et al., C.A. No. 4:03-3867
Clare Williams v. Wyeth, Inc., et al., C.A. No. 4:03-3886
Gwendolyn Brimble v. Wyeth, Inc., et al., C.A. No. 4:03-3887
Joseph Newman, etc. v. Wyeth, Inc., et al., C.A. No. 4:03-3913
Wanda Kirkwood v. Wyeth, Inc., et al., C.A. No. 6:03-97

Western District of Texas

Shirley E. White v. Wyeth, Inc., et al., C.A. No. 6:03-263

MDL-1508 -- In re Medco Health Solutions, Inc., Pharmacy Benefits Management Litigation

Opposition of plaintiff Group Hospitalization & Medical Services to transfer of the following action to the United States District Court for the Southern District of New York:

District of New Jersey

Group Hospitalization & Medical Services v. Merck-Medco Managed Care, L.L.P., et al.,
C.A. No. 1:03-3993

MDL-1510 -- In re Daewoo Motor Co., Ltd., Dealerships Litigation

Opposition of plaintiff Daewoo Motor America, Inc., to transfer of the following action to the United States District Court for the Middle District of Florida:

Central District of California

Daewoo Motor America, Inc. v. General Motors Corp., et al., Bky. Advy. No. 2:03-2140

MDL-1535 -- In re Welding Rod Products Liability Litigation

Opposition of defendant Palco Industries, Inc., to transfer of the following actions to the United States District Court for the Northern District of Ohio:

Northern District of Illinois

David R. Buritz v. Airco, Inc., et al., C.A. No. 1:03-6111

Robert G. Franzen v. Airco, Inc., et al., C.A. No. 1:03-6112

MDL-1553 -- In re Silica Products Liability Litigation

Oppositions of plaintiffs Mervin Andrews, et al., and Frank Bland, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Southern District of Mississippi

Mervin Andrews, et al. v. Clark Sand & Co., et al., C.A. No. 2:03-293

Frank Bland, et al. v. Lone Star Industries, Inc., et al., C.A. No. 5:03-457

PROCEDURES FOR ORAL ARGUMENT BEFORE THE
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.