UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

FIRST AMENDMENT TO THE HEARING SESSION ORDER AND ATTACHED SCHEDULE FILED FEBRUARY 11, 2015

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on February 11, 2015, are amended to include the following matter on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on March 26, 2015, in San Diego, California.

MDL No. 2601 - IN RE: CONVERGENT OUTSOURCING, INC., FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) LITIGATION

Motion of defendant Convergent Outsourcing, Inc., for reconsideration of the Panel's February 5, 2015, order denying transfer.

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters pursuant to under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **March 26, 2015**

LOCATION OF HEARING SESSION: James M. Carter and Judith N. Keep
United States Courthouse
Courtroom 15B, 15th Floor
333 West Broadway
San Diego, California 92101

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 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.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **March 9, 2015.** The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, United States District 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 March 26, 2015, 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, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), 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

Sarah Vance

Sarah S. Vance
Chair

Marjorie O. Rendell
Lewis A. Kaplan
Ellen Segal Huvelle
Charles R. Breyer
R. David Proctor
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION
March 26, 2015 -- San Diego, California

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

MDL No. 2605 - **IN RE: NUTEK BABY WIPES PRODUCTS LIABILITY LITIGATION**

Motion, as amended, of defendants First Quality Enterprises, Inc.; First Quality Consumer Products, LLC; and Nutek Disposables, Inc., to transfer the following actions to the United States District Court for the Eastern District of New York:

Eastern District of New York

JONES v. WAL-MART STORES, INC., ET AL., C.A. No. 2:14-06305

Northern District of Oklahoma

GAMBLE, ET AL. v. NUTEK DISPOSABLES, INC., C.A. No. 4:14-00767
AULESTIA v. NUTEK DISPOSABLES, INC., C.A. No. 4:14-00769

MDL No. 2606 - **IN RE: BENICAR (OLMESARTAN) PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Annette Johnson to transfer the following actions to the United States District Court for the Northern District of Ohio:

Southern District of California

AMBLER, ET AL. v. DAIICHI SANKYO, INC., ET AL., C.A. No. 3:14-01475

Central District of Illinois

DIRKSEN, ET AL. v. DAIICHI SANKYO, INC., ET AL., C.A. No. 3:14-03318

Southern District of Iowa

SCHEFFLER, ET AL. v. DAIICHI SANKYO, INC., ET AL., C.A. No. 4:14-00450

Eastern District of Louisiana

VON EBERSTEIN, ET AL. v. DAIICHI SEIYAKU COMPANY, LTD., ET AL., C.A. No. 2:14-00089
BUJOL-BROWN v. DAIICHI SANKYO, INC., ET AL., C.A. No. 2:14-01762

District of Montana

VAN DYKE, ET AL. v. DAIICHI SANKYO, INC., ET AL., C.A. No. 1:14-00137

Northern District of Ohio

LANEY v. DAIICHI SANKYO, INC., ET AL., C.A. No. 1:14-02515
KUHN v. DAIICHI SANKYO, INC., ET AL., C.A. No. 1:14-02781
CHARLTON v. DAIICHI SANKYO, INC., ET AL., C.A. No. 1:14-02786
JOHNSON v. DAIICHI SANKYO, INC., ET AL., C.A. No. 3:14-02672
BAUGH v. DAIICHI SANKYO, INC., ET AL., C.A. No. 4:14-02309
HUGLEY v. DAIICHI SANKYO, INC., ET AL., C.A. No. 4:14-02787
BONNER v. DAIICHI SANKYO, INC., ET AL., C.A. No. 5:14-02671
CHANGET v. DAIICHI SANKYO, INC., ET AL., C.A. No. 5:14-02782
MCCLESKEY v. DAIICHI SANKYO, INC., ET AL., C.A. No. 5:14-02784

MDL No. 2608 - **IN RE: NBTY, INC., GINKGO BILOBA MARKETING AND SALES PRACTICES LITIGATION**

Motion, as amended, of defendants NBTY, Inc.; Natures Bounty, Inc.; Rexall Sundown, Inc.; and Costco Wholesale Corp., to transfer the following action to the United States District Court for the Southern District of California:

Northern District of California

KOROLSHTEYN v. COSTCO WHOLESALE CORP., C.A. No. 3:14-05447

Southern District of California

PETKEVICIUS v. REXALL SUNDOWN, INC., ET AL., C.A. No. 3:14-02482
PETKEVICIUS v. NBTY, INC., ET AL., C.A. No. 3:14-02616

MDL No. 2609 – **IN RE: BAILEY FINANCING LITIGATION**

Motion of Bighorn Capital, Inc., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

BIGHORN CAPITAL, INC. v. PSB PARTNERS, LLC, C.A. No. 1:14–09045

District of Nevada

BLUE ACQUISITION MEMBER, LLC v. BAILEY PEAVY BAILEY, PLLC, C.A. No. 2:14–02013

Southern District of Texas

F. KENNETH BAILEY, JR. PC, ET AL. v. ENTLER, ET AL., C.A. No. 4:13–03521
BIGHORN CAPITAL, INC. v. BAILEY PEAVY BAILEY, PLLC, ET AL., C.A. No. 4:14–03070

MDL No. 2610 – **IN RE: LVNV FUNDING, LLC, FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) LITIGATION**

Motion of plaintiff Jerold S. Rawson to transfer the following actions to the United States District Court for the Northern District of Illinois:

Central District of California

WURDEMANN v. FIRST NATIONAL COLLECTION BUREAU, INC., ET AL., C.A. No. 5:14–02075

Northern District of California

PATHMAN v. CONVERGENT OUTSOURCING, INC., ET AL., C.A. No. 3:14–04303

Middle District of Florida

RIFFLE v. CONVERGENT OUTSOURCING, INC., ET AL., C.A. No. 6:14–01181

Northern District of Georgia

LOPEZ v. CONVERGENT OUTSOURCING, INC., ET AL., C.A. No. 1:14–03901

Central District of Illinois

DELGADO v. CAPITAL MANAGEMENT SERVICES, LP, ET AL.,
C.A. No. 4:12–04057

Northern District of Illinois

RAWSON v. SOURCE RECEIVABLES MANAGEMENT, LLC, ET AL.,
C.A. No. 1:11–08972
MCMAHON v. LVNV FUNDING, LLC, ET AL., C.A. No. 1:12–01410
DOLEMBA v. NORTHLAND GROUP INC., C.A. No. 1:13–05308

Northern District of Indiana

ANGUIANO, ET AL. v. LVNV FUNDING LLC, ET AL., C.A. No. 2:12–00523

District of South Carolina

ALDRICH v. CONVERGENT OUTSOURCING, INC., C.A. No. 7:14–03456

Southern District of Texas

KEETON v. TATE & KIRLIN ASSOCIATES, ET AL., C.A. No. 1:14–00130
KEETON v. CONVERGENT OUTSOURCING, INC., ET AL., C.A. No. 1:14–00131
KEETON v. CONVERGENT OUTSOURCING, INC., ET AL., C.A. No. 1:14–00132

MDL No. 2611 – **IN RE: LVNV FUNDING, LLC, "TIME-BARRED" PROOF OF CLAIM FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) LITIGATION**

Motion of defendants Resurgent Capital Services, L.P., and LVNV Funding, LLC, to transfer the following actions to the United States District Court for the Southern District of Alabama:

Southern District of Alabama

BROCK, ET AL. v. RESURGENT CAPITAL SERVICES, LP, ET AL.,
C.A. No. 1:14–00324

Middle District of Florida

IDARRAGA v. LVNV FUNDING, LLC, C.A. No. 3:14–01335

Southern District of Georgia

ALIFF, ET AL. v. RESURGENT CAPITAL SERVICES, LP, ET AL.,
C.A. No. 1:14-00198

MDL No. 2612 - **IN RE: TESTOFEN MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Michael Ryan, et al., to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

RYAN, ET AL. v. GENCOR NUTRIENTS, INC., ET AL., C.A. No. 4:14-05682

District of Massachusetts

CAMEY, ET AL. v. FORCE FACTOR LLC, C.A. No. 1:14-14717

MDL No. 2613 - **IN RE: TD BANK, N.A., DEBIT CARD OVERDRAFT FEE LITIGATION**

Motion of defendant TD Bank, N.A., to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania or, in the alternative, the United States District Court for the District of South Carolina:

District of Connecticut

AUSTIN v. TD BANK, N.A., C.A. No. 3:15-00088

Middle District of Florida

GOODALL v. TORONTO-DOMINION BANK, ET AL., C.A. No. 8:15-00023

District of New Jersey

HUREL v. TD BANK, N.A., ET AL., C.A. No. 1:14-07621
KLEIN, ET AL. v. TD BANK, N.A., C.A. No. 1:15-00179
UCCIFERRI v. TD BANK, N.A., C.A. No. 1:15-00424

Southern District of New York

KOSHGARIAN v. TD BANK, N.A., ET AL., C.A. No. 1:14-10250

Eastern District of Pennsylvania

PADILLA, ET AL. v. TD BANK, N.A., C.A. No. 2:14–01276

District of South Carolina

KING, ET AL. v. TD BANK, N.A., C.A. No. 6:13–02264

MDL No. 2614 – **IN RE: INDUSTRIAL PRINT TECHNOLOGIES, LLC, PATENT LITIGATION**

Motion of defendants Hewlett-Packard Company and O'Neil Data Systems, Inc., to transfer the following actions to the United States District Court for the Southern District of New York or, in the alternative, the United States District Court for the Northern District of Texas:

District of Delaware

INDUSTRIAL PRINT TECHNOLOGIES LLC v. VISTAPRINT USA, INC., ET AL., C.A. No. 1:15–00049

Middle District of Florida

TESSERON, LTD. v. PUNCH INTERNATIONAL NV, ET AL., C.A. No. 6:10–00909

Northern District of Illinois

INDUSTRIAL PRINT TECHNOLOGIES LLC v. FORT DEARBORN COMPANY, ET AL., C.A. No. 1:15–00467

Southern District of New York

CANON, INC., ET AL. v. TESSERON LTD., ET AL., C.A. No. 1:14–05462
INDUSTRIAL PRINT TECHNOLOGIES LLC v. CANON U.S.A., INC., C.A. No. 1:15–00672

Eastern District of Texas

INDUSTRIAL PRINT TECHNOLOGIES LLC v. O'NEIL DATA SYSTEMS, INC., ET AL., C.A. No. 2:14–00048
INDUSTRIAL PRINT TECHNOLOGIES LLC v. O'NEIL DATA SYSTEMS, INC., ET AL., C.A. No. 2:14–00892
INDUSTRIAL PRINT TECHNOLOGIES LLC v. O'NEIL DATA SYSTEMS, INC., ET AL., C.A. No. 2:15–00020

INDUSTRIAL PRINT TECHNOLOGIES LLC v. QUAD/GRAPHICS, INC., ET AL., C.A. No. 2:15-00025

Northern District of Texas

INDUSTRIAL PRINT TECHNOLOGIES LLC v. CENVEO, INC., ET AL., C.A. No. 3:15-00165

MDL No. 2615 - **IN RE: MICHAELS STORES, INC., FAIR CREDIT REPORTING ACT (FCRA) LITIGATION**

Motion of plaintiff Michele Castro to transfer the following actions to the United States District Court for the Northern District of Texas:

Western District of Missouri

BURNSIDE v. MICHAELS STORES, INC., C.A. No. 6:15-03010

District of New Jersey

GRAHAM v. MICHAELS STORES, INC., C.A. No. 2:14-07563

Northern District of Texas

CASTRO v. MICHAELS STORES, INC., C.A. No. 3:15-00276

MDL No. 2616 - **IN RE: LEADING EDGE RECOVERY SOLUTIONS, LLC, FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) LITIGATION**

Motion of defendant Leading Edge Recovery Solutions, LLC, to transfer the following actions to the United States District Court for the Eastern District of New York:

District of New Jersey

MORELLO v. LEADING EDGE RECOVERY SOLUTIONS, LLC, ET AL., C.A. No. 3:14-06817

Eastern District of New York

RODRIGUEZ v. LEADING EDGE RECOVERY SOLUTIONS, LLC, C.A. No. 1:14-06559
LEBOVITS v. LEADING EDGE RECOVERY SOLUTIONS LLC, C.A. No. 1:14-06611

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

Opposition of defendant Dana Companies, LLC, to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Northern District of Alabama:

Northern District of Alabama

FRANKLIN v. BILL VANN COMPANY, INC., ET AL., C.A. No. 1:11–02731

MDL No. 2187 – **IN RE: C.R. BARD, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Lisa D. Hudspeth to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Middle District of Florida

HUDSPETH v. C.R. BARD, INC., ET AL., C.A. No. 3:14–01465

MDL No. 2244 – **IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Ernest J. Hutchinson, IV, to transfer of the following action to the United States District Court for the Northern District of Texas:

District of Connecticut

HUTCHINSON v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 3:14–01723

MDL No. 2272 – **IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY LITIGATION**

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

Southern District of California

GHEZZI v. ZIMMER HOLDINGS, INC., ET AL., C.A. No. 3:15–00106

MDL No. 2284 – **IN RE: IMPRELIS HERBICIDE MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff E. Joan Ekiert to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

District of New Hampshire

EKIERT v. E.I. DUPONT DE NEMOURS AND COMPANY, C.A. No. 1:14–00528

MDL No. 2286 – **IN RE: MIDLAND CREDIT MANAGEMENT, INC., TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Oppositions of plaintiff David E. Mack to transfer of the following actions to the United States District Court for the Southern District of California:

Eastern District of Texas

MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:14–00414
MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:14–00481
MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:14–00578
MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:14–00841
MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:14–00843
MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:15–00045
MACK v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:15–00048

MDL No. 2295 – **IN RE: PORTFOLIO RECOVERY ASSOCIATES, LLC, TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Oppositions of plaintiffs Jeanette Antonette Andasola and Ross A. Miller to transfer of their respective following actions to the United States District Court for the Southern District of California:

District of Arizona

ANDASOLA v. PORTFOLIO RECOVERY ASSOCIATES LLC, C.A. No. 2:14–02635

Eastern District of Virginia

MILLER v. PORTFOLIO RECOVERY ASSOCIATES, LLC., C.A. No. 3:14–00865

MDL No. 2308 – **IN RE: SKECHERS TONING SHOE PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Linda Delaney to transfer of the following action to the United States District Court for the Western District of Kentucky:

District of Massachusetts

DELANEY v. SKECHERS U.S.A., INC., C.A. No. 1:14–14164

MDL No. 2385 – **IN RE: PRADAXA (DABIGATRAN ETEXILATE) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Max Ridings, et al., to transfer of the following action to the United States District Court for the Southern District of Illinois:

Western District of Missouri

RIDINGS, ET AL. v. MAURICE, ET AL., C.A. No. 4:15–00020

MDL No. 2416 – **IN RE: CAPITAL ONE TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Oppositions of plaintiffs Richard Ramcharitar, et al., and Frank Anthony to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

Southern District of Florida

RAMCHARITAR, ET AL. v. CAPITAL ONE BANK (USA) N.A.,
C.A. No. 0:14–62640

Southern District of New York

ANTHONY v. CAPITAL ONE BANK NATIONAL ASSOCIATION,
C.A. No. 1:14–02927

MDL No. 2418 – **IN RE: PLAVIX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION (NO. II)**

Opposition of plaintiffs Kesler Blair and Bernice L. Martin to transfer of their respective following actions to the United States District Court for the District of New Jersey:

District of Delaware

BLAIR v. BRISTOL–MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:14–01470
MARTIN v. BRISTOL–MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:14–01471

MDL No. 2428 – **IN RE: FRESENIUS GRANUFLO/NATURALYTE DIALYSATE PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Margaret Pryor, et al., and Joyce Dawn Lowe Brother, et al., to transfer of their respective following actions to the United States District Court for the District of Massachusetts:

Eastern District of Missouri

PRYOR, ET AL. v. FRESENIUS MEDICAL CARE NORTH AMERICA, INC., ET AL., C.A. No. 4:14–02075

Western District of Oklahoma

LOWE BROTHER, ET AL. v. FRESENIUS USA, INC., ET AL., C.A. No. 5:14–01408

MDL No. 2434 –**IN RE: MIRENA IUD PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Marciela Barrera, et al., to transfer the following action to the United States District Court for the Southern District of New York:

Northern District of California

BARRERA, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., C.A. No. 5:14–03418

MDL No. 2455 – **IN RE: STERICYCLE, INC., STERI–SAFE CONTRACT LITIGATION**

Opposition of plaintiffs Bay Area Surgical Management, LLC, et al., to transfer of the following action to the United States District Court for the Northern District of Illinois:

Northern District of California

BAY AREA SURGICAL MANAGEMENT, LLC., ET AL. v. STERICYCLE, INC., ET AL., C.A. No. 5:14–05364

MDL No. 2478 – **IN RE: CONVERGENT TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Motion of plaintiff John J. Tauro to remand, under 28 U.S.C. § 1407(a), the following action to the United States District Court for Western District of Pennsylvania:

Western District of Pennsylvania

TAURO v. CONVERGENT OUTSOURCING, INC., C.A. No. 2:14–00761

MDL No. 2493 – **IN RE: MONITRONICS INTERNATIONAL, INC., TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Newton Vaughan to transfer of the *Vaughan* action to the United States District Court for the Northern District of West Virginia and motion of defendant Monitronics International, Inc., to transfer the *Redden* action to the United States District Court for the Northern District of West Virginia:

Central District of California

VAUGHAN v. VERSATILE MARKETING SOLUTIONS, INC., ET AL., C.A. No. 2:14–08880

Southern District of West Virginia

REDDEN v. MONITRONICS INTERNATIONAL, INC., C.A. No. 5:14–27757

MDL No. 2543 – **IN RE: GENERAL MOTORS LLC IGNITION SWITCH LITIGATION**

Opposition of plaintiffs Danny E. Brochey, et al., to transfer of the *Brochey* action to the United States District Court for the Southern District of New York and motion of defendant General Motors LLC to transfer the *Grant* action to the United States District Court for the Southern District of New York:

Middle District of Florida

GRANT v. GENERAL MOTORS LLC, C.A. No. 6:14–02132

Western District of Pennsylvania

BROCHEY, ET AL. v. GENERAL MOTORS, LLC, C.A. No. 1:14–00304

MDL No. 2557 – **IN RE: AUTO BODY SHOP ANTITRUST LITIGATION**

Oppositions of defendants Oregon Mutual Insurance Company and Grange Insurance Association to transfer of the following action to the United States District Court for the Middle District of Florida:

District of Oregon

LEIF'S AUTO COLLISION CENTERS, LLC v. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY OF OREGON, ET AL., C.A. No. 3:14–01777

MDL No. 2587 – **IN RE: INTRAMTA SWITCHED ACCESS CHARGES LITIGATION**

Oppositions of plaintiffs Sprint Communications Company, L.P., and defendants Alliance Communications Cooperative, Inc.; RC Communications, Inc.; Venture Communications Cooperative; Western Telephone Company; Brookings Municipal Utilities d/b/a Swiftel Communications; Fort Randall Telephone Company; Golden West Telecommunications Cooperative, Inc.; James Valley Cooperative Telephone Company; Jefferson Telephone Company, LLC; Northern Valley Communications, LLC; Santel Communications Cooperative, Inc.; TrioTel Communications, Inc.; Chillicothe Telephone Co.; Minford Telephone Company; Cincinnati Bell Telephone Company LLC; Verizon California, Inc.; Verizon New England, Inc.; Verizon New York, Inc.; and Verizon Florida LLC to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

District of Colorado

SPRINT COMMUNICATIONS COMPANY L.P. v. LEVEL 3 COMMUNICATIONS, LLC, ET AL., C.A. No. 1:14–01659

District of Delaware

SPRINT COMMUNICATIONS COMPANY L.P. v. VERIZON MARYLAND LLC, ET AL., C.A. No. 1:14-00743
SPRINT COMMUNICATION COMPANY LP v. BRIGHT HOUSE NETWORKS INFORMATION SERVICES (ALABAMA) LLC, ET AL., C.A. No. 1:14-01298

Eastern District of Missouri

SPRINT COMMUNICATIONS COMPANY L.P. v. PACIFIC BELL TELEPHONE COMPANY, ET AL., C.A. No. 4:14-01750
SPRINT COMMUNICATIONS COMPANY L.P. v. VERIZON NEW ENGLAND, INC., ET AL., C.A. No. 4:14-01831
SPRINT COMMUNICATIONS COMPANY L.P. v. VERIZON FLORIDA LLC, C.A. No. 4:14-01941

District of North Dakota

SPRINT COMMUNICATIONS COMPANY, L.P. v. DAKOTA CENTRAL TELECOMMUNICATIONS COOPERATIVE, INC., ET AL., C.A. No. 4:14-00065

Southern District of Ohio

SPRINT COMMUNICATIONS COMPANY L.P. v. CHILLICOTHE TELEPHONE COMPANY, ET AL., C.A. No. 2:14-00610
MCI COMMUNICATIONS SERVICES, INC., ET AL. v. THE CHILLICOTHE TELEPHONE COMPANY, ET AL., C.A. No. 2:14-01457

District of South Dakota

SPRINT COMMUNICATIONS COMPANY, L.P. v. ALLIANCE COMMUNICATIONS COOPERATIVE, INC., ET AL., C.A. No. 4:14-04099
MCI COMMUNICATIONS SERVICES, INC., ET AL. v. ALLIANCE COMMUNICATIONS COOPERATIVE, INC., ET AL., C.A. No. 4:14-04139

MDL No. 2588 – **IN RE: WHOLE FOODS MARKET, INC., GREEK YOGURT MARKETING AND SALES PRACTICES LITIGATION**

Opposition of plaintiff Meredith Frydman to transfer of the following action to the United States District Court for the Western District of Texas:

Southern District of Florida

FRYDMAN v. WHOLE FOODS MARKET GROUP, INC., ET AL.,
C.A. No. 9:15–80007

MDL No. 2591 – **IN RE: SYNGENTA AG MIR162 CORN LITIGATION**

Oppositions of plaintiff Daniel E. Groothuis and defendant Interstate Grain Corporation to transfer of their respective following actions to the United States District Court for the District of Kansas:

District of Minnesota

GROOTHUIS v. SYNGENTA CORP., ET AL., C.A. No. 0:15–00058

Southern District of Texas

LUTRINGER v. SYNGENTA CORP., ET AL., C.A. No. 4:14–03664
KALINA, ET AL. v. SYNGENTA CORP., ET AL., C.A. No. 4:14–03666

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement 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 limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. 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 and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties toactions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.