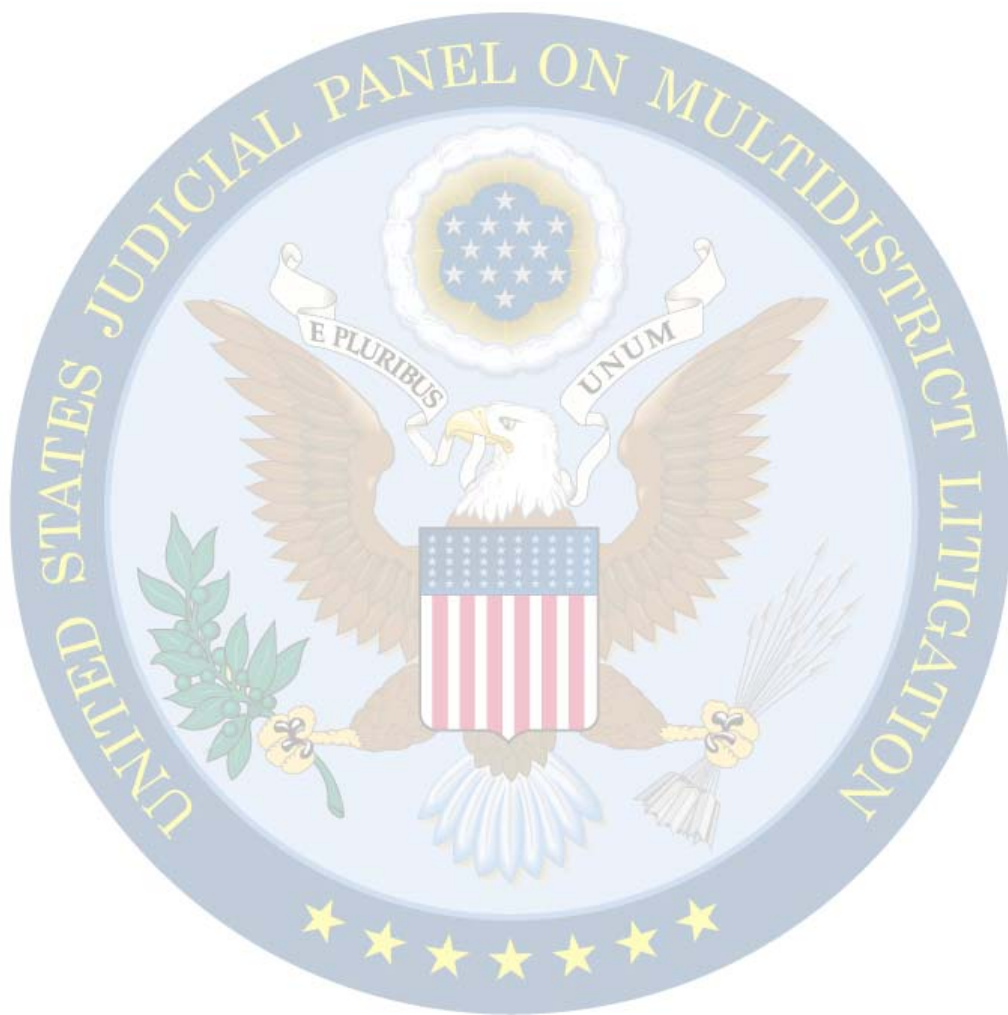


# Hearing Session Order & Amendments



January 26, 2017

**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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **January 26, 2017**

LOCATION OF HEARING SESSION: Wilkie D. Ferguson, Jr. United States Courthouse  
Ceremonial Courtroom 13-3, 13th Floor  
400 North Miami Avenue  
Miami, Florida 33128

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.

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- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization (including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.).

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 **January 9, 2017**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a long horizontal flourish extending to the right.

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the Southern District of Florida

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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 January 26, 2017, the Panel will convene a hearing session in Miami, Florida, 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



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
January 26, 2017 -- Miami, Florida

**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. 2754 – IN RE: ELIQUIS (APIXABAN) PRODUCTS LIABILITY LITIGATION**

Motion of defendants Bristol-Myers Squibb Company and Pfizer Inc., to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of California

LITTLE, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:16-02144

District of Hawaii

SEGOVIA v. BRISTOL-MEYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:15-00519

Northern District of Illinois

BATES v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-06774

Southern District of Illinois

ODUM v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 3:16-00630

Eastern District of Kentucky

MALONE v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 0:16-00053  
RAY v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 5:16-00127  
LEWIS v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 6:16-00038

Eastern District of Louisiana

MACALUSO, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 2:16-03673  
HUFFMAN v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 2:16-03714

TIDMORE v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 2:16-08058  
ROMANO v. BRISTOL MYERS SQUIBB COMPANY, ET AL., C.A. No. 2:16-14921

Middle District of Louisiana

WILLIAMS v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 3:16-00273

Western District of Louisiana

JACKSON v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 5:16-00579

Southern District of New York

SNEED, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-02899

FISHER v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-04535  
BROOKS, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-04904

MARTIN, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-05402

UTTS, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-05668

KARR, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-05772

HEALEY v. BRISTOL-MEYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-06093

CORO v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-06097  
WOOTEN v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-06285

SILVA v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-06556  
HANIGAN, ET AL. v. BRISTOL-MEYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-06561

YOUNG v. BRISTOL-MEYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-06644  
RHODES, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-06645

CARROLL v. BRISTOL- MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-06904

HOUGH v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:16-07041  
BYRD, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:16-07601

Eastern District of Pennsylvania

BARANKSI v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 2:16-02957

Eastern District of Tennessee

DESSERT, ET AL. v. PFIZER, INC., ET AL., C.A. No. 1:16-00303  
FORTNER v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 3:16-00482

Western District of Tennessee

MUMFORD v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 2:16-02361

Northern District of Texas

ORR v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 3:16-00681

MDL No. 2755 - **IN RE: TOYOTA MOTOR CORP. SOY-BASED WIRING PRODUCTS  
LIABILITY LITIGATION**

Motion of plaintiff Leslie Cochran to transfer the following actions to the United States  
District Court for the Central District of California:

Central District of California

HEBER v. TOYOTA MOTOR SALES, U.S.A., INC., C.A. No. 8:16-01525  
COCHRANE v. TOYOTA MOTOR CORPORATION, ET AL., C.A. No. 8:16-01679

Eastern District of Louisiana

WEIDENBACHER v. TOYOTA MOTOR CORPORATION, ET AL.,  
C.A. No. 2:16-15202

District of Maryland

BENNETT, ET AL. v. TOYOTA MOTOR CORPORATION, ET AL.,  
C.A. No. 1:16-03428

MDL No. 2757 – **IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Sharron Thomas, Dinez Davis, Tagi Modicue, Richard Foster, Isaac Ratshidaho, and Anthony Hornfeck to transfer the following actions to the United States District Court for the Middle District of Louisiana:

Eastern District of California

THOMAS v. TAKEDA PHARMACEUTICALS USA, INC., ET AL.,  
C.A. No. 1:16-01566

Southern District of Illinois

MASON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:16-00493

District of Kansas

KOON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:16-02605

Western District of Louisiana

MODICUE v. ASTRAZENECA PHARMACEUTICALS L P, ET AL.,  
C.A. No. 6:16-01444

Western District of Missouri

FOSTER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 4:16-01106  
RATSHIDAHO v. ASTRAZENECA LP, ET AL., C.A. No. 6:16-03417

District of New Jersey

GOODSTEIN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-05143  
SPRATT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-05523



Eastern District of New York

BUZBEE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,

C.A. No. 1:16-02934

MULLEN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,

C.A. No. 1:16-04801

Northern District of New York

HORNFECK v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,

C.A. No. 5:16-01243

Southern District of Ohio

BURNETT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,

C.A. No. 2:16-00894

Western District of Tennessee

BOWERS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,

C.A. No. 2:16-02549

Southern District of West Virginia

CHURCH, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,

C.A. No. 1:16-07910

MDL No. 2759 – **IN RE: UNITED COLLECTION BUREAU, INC., TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Motion of defendant United Collection Bureau, Inc., to transfer the following actions to the United States District Court for the Northern District of Ohio:

Western District of North Carolina

ABPLANALP v. UNITED COLLECTION BUREAU, INC., C.A. No. 3:15-00203

Northern District of Ohio

MEREDITH v. UNITED COLLECTION BUREAU, INC., C.A. No. 1:16-01102

COMPTON v. UNITED COLLECTIONS BUREAU, INC., C.A. No. 3:16-01234

Middle District of Pennsylvania

DICKSON v. UNITED COLLECTION BUREAU, INC., C.A. No. 1:16-01387  
EHRHART v. UNITED COLLECTION BUREAU, INC., C.A. No. 3:16-01519

MDL No. 2760 – **IN RE: EMERGENCY HELICOPTER AIR AMBULANCE RATE  
LITIGATION**

Motion of defendants Air Methods Corporation and Rocky Mountain Holdings, LLC, to transfer the following actions to the United States District Court for the District of Colorado:

Northern District of Alabama

STEPHENS v. AIR METHODS CORPORATION, ET AL., C.A. No. 2:16-01659

District of Colorado

SCARLETT v. AIR METHODS CORPORATION, ET AL., C.A. No. 1:16-02723

Western District of Oklahoma

BARTLEY, ET AL. v. AIR EVAC EMS, INC., ET AL., C.A. No. 5:16-00843

District of South Carolina

ADAMS v. AIR METHODS CORPORATION, ET AL., C.A. No. 3:15-01683

MDL No. 2762 – **IN RE: CRAB ADDISON, INC., ET AL., FAIR LABOR  
STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION**

Motion of defendants Ignite Restaurant Group, Inc., and Crab Addison, Inc., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

DAVENPORT, ET AL. v. IGNITE RESTAURANT GROUP, INC., ET AL.,  
C.A. No. 2:16-07664

Northern District of California

EID v. CRAB ADDISON, INC., ET AL., C.A. No. 3:16-05967

MDL No. 2763 – **IN RE: HP PRINTER CARTRIDGE AUTHENTICATION FIRMWARE LITIGATION**

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

Northern District of Alabama

BAYSE v. HP INC., C.A. No. 2:16-01583

Central District of California

DOTY v. HP INC., ET AL., C.A. No. 5:16-02063

Northern District of California

MIGUEL, ET AL. v. HP INC., C.A. No. 5:16-05820

WARE v. HP INC., C.A. No. 5:16-06519

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 1358 – IN RE: METHYL TERTIARY BUTYL ETHER ("MTBE") PRODUCTS LIABILITY LITIGATION**

Motion of defendants Exxon Mobil Corporation; ExxonMobil Oil Corporation; Mobil Corporation; Alon Refining Krotz Springs; Atlantic Richfield Company; BP Products North America; Coastal Eagle Point Oil Company; Equilon Enterprises LLC; Hess Corporation; Marathon Oil Company; Marathon Petroleum Company LP; Motiva Enterprises LLC; Paulsboro Refining Company, LLC; Shell Oil Company; Shell Oil Products Company LLC; Shell Petroleum, Inc.; Shell Trading (US) Company; Sunoco, Inc. (R&M); Total Petrochemical & Refining USA, Inc.; The Premcor Refining Group, Inc.; Ultramar Energy; Valero Energy Corporation; Valero Marketing and Supply Company; and Valero Refining–Texas, L.P. to transfer the following action to the United States District Court for the Southern District of New York:

District of Rhode Island

STATE OF RHODE ISLAND v. ALON REFINING KROTZ SPRINGS, ET AL.,  
C.A. No. 1:16–00495

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

Opposition of plaintiff Andrew Makarios to transfer of the following action to the United States District Court for the Southern District of California:

District of New Jersey

MAKARIOUS v. PORTFOLIO RECOVERY ASSOCIATES, LLC, ET AL.,  
C.A. No. 2:16–06475

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

Opposition of plaintiff Sandeep K. Randhawa to transfer of the following action to the United States District Court for the District of Connecticut:

Eastern District of New York

RANDHAWA v. CONVERGENT OUTSOURCING, INC., ET AL.,  
C.A. No. 1:16–05283

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

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

Western District of Missouri

DUNLAP, ET.AL v. GENERAL MOTORS LLC, C.A. No. 4:16-01060

MDL No. 2599 – **IN RE: TAKATA AIRBAG PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiff Cecelia Dowdye and defendant General Motors LLC to transfer of their respective following actions to the United States District Court for the Southern District of Florida:

Middle District of Florida

DOWDYE v. TAKATA CORPORATION, ET AL., C.A. No. 6:16-01680

Southern District of Georgia

KESLER v. TAKATA CORPORATION, ET AL., C.A. No. 1:16-00191

MDL No. 2627 – **IN RE: LUMBER LIQUIDATORS CHINESE-MANUFACTURED FLOORING PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Dana Lemaster to transfer of the following action to the United States District Court for the Eastern District of Virginia:

Northern District of Alabama

LEMASTER v. LUMBER LIQUIDATORS, INC., C.A. No. 2:16-01780

MDL No. 2642 – **IN RE: FLUOROQUINOLONE PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Carrie Zloch, et al., and Carla Wolbach, et al., to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Northern District of Illinois

ZLOCH, ET AL. v. JOHNSON AND JOHNSON, INC., ET AL., C.A. No. 1:16-10116

Eastern District of Pennsylvania

WOLBACH, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC.,  
ET AL., C.A. No. 5:16-03711

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Jimmy R. Faircloth, Jr., to transfer of the following action to the United States District Court for the Northern District of California:

Middle District of Louisiana

FAIRCLOTH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 3:16-00738

MDL No. 2705 – **IN RE: 100% GRATED PARMESAN CHEESE MARKETING AND SALES PRACTICES LITIGATION**

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

Middle District of Florida

CHMIELEWSKI v. PUBLIX SUPER MARKETS, INC., C.A. No. 8:16-02725

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS  
MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

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

Southern District of Illinois

HARDERS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:16-00903

Eastern District of Missouri

GALLOW, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01123  
LUCAS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01339  
STARKS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01362  
FRAZIER, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01388  
EVELAND, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01436  
CARNEY, ET AL. v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 4:16-01507  
LOGAN, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01513  
VALLE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01706  
WILLIAMS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01709  
BAHMLER, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01759

Eastern District of Pennsylvania

MASON, ET AL. v. JOHNSON AND JOHNSON, ET AL., C.A. No. 2:16-05305

MDL No. 2740 – **IN RE: TAXOTERE (DOCETAXEL) PRODUCTS LIABILITY  
LITIGATION**

Oppositions of plaintiffs Debra Gradney, et al., and Jalyne Bickley, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

District of Delaware

GRADNEY, ET AL. v. SANOFI-AVENTIS U.S. LLC, C.A. No. 1:16-01067

Eastern District of Missouri

BICKLEY, ET AL. v. SANOFI S.A., ET AL., C.A. No. 4:16-01307

MDL No. 2744 – **IN RE: FCA US LLC MONOSTABLE ELECTRONIC GEARSHIFT  
LITIGATION**

Oppositions of defendant FCA US LLC to transfer of the following actions to the United States District Court for the Eastern District of Michigan:

District of Colorado

MANEOTIS v. FCA US LLC, C.A. No. 1:16-02048

Northern District of Georgia

RIVERA, ET AL. v. FCA US LLC, C.A. No. 1:16-03650

District of Massachusetts

MALONE v. FCA US LLC, C.A. No. 1:16-11753

District of New Hampshire

PEOPLES v. FCA US LLC, C.A. No. 1:16-00414

Western District of Virginia

HOLCOMB v. FCA US LLC, C.A. No. 3:16-00067



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 to actions 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.

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**FIRST AMENDMENT TO THE HEARING SESSION ORDER  
AND ATTACHED SCHEDULE FILED DECEMBER 15, 2016**

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on December 15, 2016, are amended to add the following actions on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on January 26, 2017, in Miami, Florida.

MDL No. 2749 - **IN RE: OSF HEALTHCARE SYSTEM EMPLOYEE  
RETIREMENT INCOME SECURITY ACT (ERISA)  
LITIGATION**

Motion for Reconsideration, filed by Defendants OSF HealthCare System, et al., of the Panel's December 7, 2016, order denying centralization of the following actions in the United States District Court for the Central District of Illinois:

Central District of Illinois

BAILEY, ET AL. v. OSF HEALTHCARE SYSTEM, ET AL., C.A. No. 1:16-01137

Southern District of Illinois

SMITH v. OSF HEALTHCARE SYSTEM, ET AL., C.A. No. 3:16-00467

FOR THE PANEL:

  
Jeffery N. Luthi  
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**SECOND AMENDMENT TO THE HEARING SESSION ORDER  
AND ATTACHED SCHEDULE FILED DECEMBER 15, 2016**

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on December 15, 2016, are amended to add the following action on Schedule A (matters designated for oral argument) of the Schedule for the hearing session on January 26, 2017, in Miami, Florida.

MDL No. 2757 - **IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY  
LITIGATION**

Motion of plaintiffs Sharron Thomas, Dinez Davis, Tagi Modicue, Richard Foster, Isaac Ratshidaho, and Anthony Hornfeck to transfer the following action to the United States District Court for the Middle District of Louisiana:

Middle District of Louisiana

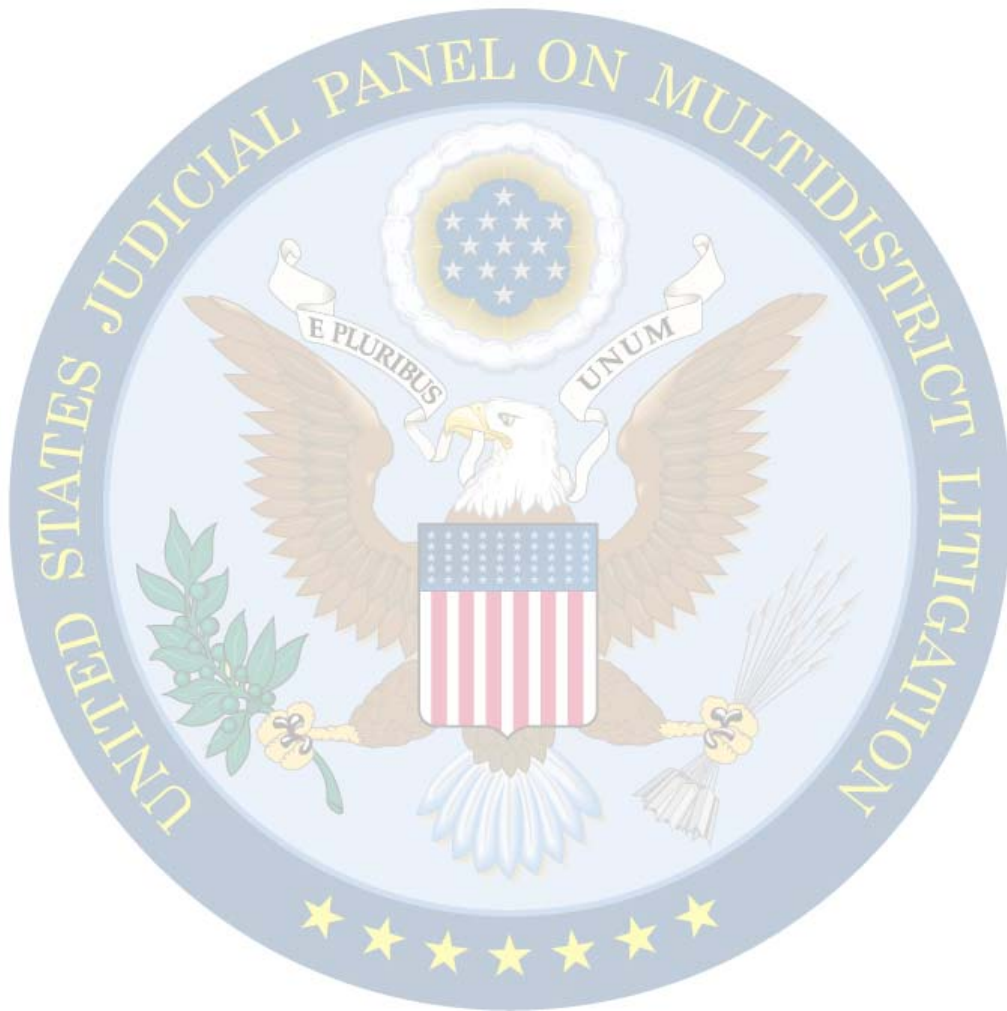
DAVIS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 3:16-00686

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

# Hearing Session Order & Amendments



March 30, 2017

**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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **March 30, 2017**

LOCATION OF HEARING SESSION: Sandra Day O'Connor United States Courthouse  
Special Proceedings Courtroom, Suite 200  
401 West Washington Street  
Phoenix, Arizona 85003

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.

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- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

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 13, 2017**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a horizontal line extending to the right.

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the District of Arizona

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 30, 2017, the Panel will convene a hearing session in Phoenix, Arizona, 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



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
March 30, 2017 -- Phoenix, Arizona

**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. 2765 – IN RE: WALDEN UNIVERSITY, LLC, DOCTORAL PROGRAM  
LITIGATION**

Motion of plaintiff LaTonya Thornhill to transfer the following actions to the United States District Court for the District of Minnesota:

District of Maryland

STREETER v. WALDEN UNIVERSITY, LLC, ET AL., C.A. No. 1:16-03460

District of Minnesota

WRIGHT, ET AL. v. WALDEN UNIVERSITY, LLC, ET AL., C.A. No. 0:16-04037

Southern District of Ohio

THORNHILL v. WALDEN UNIVERSITY, LLC, ET AL., C.A. No. 2:16-00962

**MDL No. 2766 – IN RE: WELLS FARGO FRAUDULENT ACCOUNT OPENING  
LITIGATION**

Motion of plaintiffs Lawrence J. Mitchell, et al., to transfer the following actions to the United States District Court for the District of Utah:

Northern District of Alabama

JEFFRIES, ET AL. v. WELLS FARGO & COMPANY, ET AL., C.A. No. 2:16-01987

Central District of California

FRIEDMAN, ET AL. v. WELLS FARGO BANK, N.A., ET AL., C.A. No. 2:16-07405



Northern District of California

JABBARI, ET AL. v. WELLS FARGO & COMPANY, ET AL., C.A. No. 3:15-02159  
CHERNAVSKY v. WELLS FARGO BANK, N.A., ET AL., C.A. No. 3:16-06326  
CASON, ET AL. v. WELLS FARGO BANK, N.A., ET AL., C.A. No. 3:16-07040

Middle District of Florida

STANTON v. WELLS FARGO & COMPANY, ET AL., C.A. No. 8:16-03318

District of New Jersey

BLANCHARD v. WELLS FARGO BANK, N.A., ET AL., C.A. No. 1:16-07509

District of Utah

MITCHELL, ET AL. v. WELLS FARGO BANK, N.A., ET AL., C.A. No. 2:16-00966

MDL No. 2767 – **IN RE: MIRENA IUS LEVONORGESTREL-RELATED PRODUCTS  
LIABILITY LITIGATION (NO. II)**

Motion of plaintiffs Tiara Mitchell, Nancy Hopkins, Octavia Holmes, Kayla Talley, Andrea Johnson, Shakara Carter, Miranda Gledhill, Latonya Hoskin, Maryssa Reese, and Jessica Stanley to transfer the following actions to the United States District Court for the Southern District of Mississippi:

Northern District of Alabama

BRIDGES, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:14-00036

Eastern District of California

PATTERSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:14-01087

Northern District of California

JACKSON v. BAYER CORPORATION, ET AL., C.A. No. 3:16-06091

Central District of Illinois

THOMPSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:15-01117

Northern District of Indiana

CHEEK, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:15-00020

Western District of Kentucky

SMITH v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:14-00006  
HARDWICK v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:14-00082  
WASHINGTON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:16-00827  
VINCENT v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 4:16-00126  
BABICH-ZACHARIAS v. BAYER HEALTHCARE PHARMACEUTICALS, INC.,  
ET AL., C.A. No. 5:14-00101

Middle District of Louisiana

MITCHELL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:16-00816

District of Minnesota

MITLYNG v. BAYER PHARMA AG, ET AL., C.A. No. 0:16-03492  
BOURGOIN, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC.,  
ET AL., C.A. No. 0:16-03494

Northern District of Mississippi

HOSKIN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:16-00231  
HOLMES v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 4:16-00203

Southern District of Mississippi

TALLEY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:16-00447

Western District of Missouri

MILLER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 4:14-00652  
SELLERS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 4:14-00954

District of New Jersey

HAUSNER, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC.,  
ET AL., C.A. No. 2:14-03834  
COOPER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:14-04651  
ROSELAND, ET AL. v. BAYER PHARMA AG, ET AL., C.A. No. 2:15-02480  
SIMPSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:15-06072  
MILES, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:15-07944  
GUGLIELMO v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:15-07999  
ROBINSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:15-08576  
BLACK v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00054  
DUDLEY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00056  
RIEGEL-GREEN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00057  
GOYENA v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00301  
HOFFMAN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00392  
PALLANSCH v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00393  
GRECO v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-00795  
SOLOMON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-01004

HOUCK v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-01418

ALLEN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-01644

SANTIAGO v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-01645

HOWE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-01696

MCCANDLESS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-01773

KLOPFENSTEIN, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC.,  
ET AL., C.A. No. 2:16-01774

KESSLER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-02594

SPETT v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03051

TRANUM v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03113

MICHEL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03203

MCGEE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03341

WILSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03377

PIETERS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03476

BURNS, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03477

WALKER v. BAYER HEALTHCARE PHARMACEUTICAL, INC., ET AL.,  
C.A. No. 2:16-03478

WATSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-03881

PETTLON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04245

BUCKNER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04376

HAMILTON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04377

PAVELKA v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04378

JOHNSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04449

ALBERTSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04836

THIESING v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04837

MASSIE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-04838

EDWARDS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05111

RODGERS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05118

SANCHEZ v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05120

VINCENT v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05121

ERB v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05327

WESSEL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05549

MYERS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05551

HEAGY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05880

ANDERSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05921

VON LANE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05933

VAZQUEZ v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-05934

COLLINS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-06121

NOBLES-HOBBS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-07327

CARTER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-07331

GLEDHILL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-07332

HOPKINS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-07333

MAHLSTEDT v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-07907

ADAMS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08013

CARMAN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08014

CONLEY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08015

DAWSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08017

GEE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08018

LEE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08019

SANDERLIN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08177

COCKRELL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08436

COOPER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08447

REESE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08670

CASON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08784

GARRISON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08785

STEED v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08786

DENNIS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08819

PETERSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08830

JACKSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08832

COAPMAN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08834

JOHNSON v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08836

COTTINGHAM v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08838

BRYAN v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08841

LIFORD v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08842

UTLEY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08843

STANLEY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08899  
BEELER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08904  
HICKEY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08905  
TAYLOR v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08906  
TOWNSEND v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08908  
VEGA v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-08910  
EVANS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-09334  
WILLIAMS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-09339  
KIRK v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-09340  
HANKINS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-09440  
FACKRELL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:16-09443

District of Oregon

BOOTH, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:15-00598  
DIEHL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:15-01687

Eastern District of Tennessee

CONING v. BAYER PHARMA AG, ET AL., C.A. No. 3:15-00137

Middle District of Tennessee

SCHALL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:15-01138

Western District of Tennessee

HAMILL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:15-02645

District of Vermont

TOLBERT v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 5:15-00065

MDL No. 2768 – **IN RE: STRYKER ORTHOPAEDICS LFIT V40 FEMORAL HEAD  
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Robert O’Hare, et al., to transfer the following actions to the United States District Court for the District of Massachusetts:

Southern District of Indiana

LAYNE, ET AL. v. HOWMEDICA OSTEONICS CORPORATION,  
C.A. No. 1:16-03350

District of Massachusetts

O’HARE, ET AL. v. HOWMEDICA OSTEONICS CORP., ET AL.,  
C.A. No. 1:16-11510  
D’ORLANDO v. HOWMEDICA OSTEONICS CORP., ET AL., C.A. No. 1:16-12253  
DRISCOLL v. HOWMEDICA OSTEONICS CORP., ET AL., C.A. No. 1:17-10057

District of Minnesota

BELISLE v. HOWMEDICA OSTEONICS CORPORATION, C.A. No. 0:16-02881  
SMITH, ET AL. v. HOWMEDICA OSTEONICS, ET AL., C.A. No. 0:16-03897

MDL No. 2769 – **IN RE: EXPRESS SCRIPTS HOLDING COMPANY SECURITIES,  
DERIVATIVE AND EMPLOYEE RETIREMENT INCOME  
SECURITY ACT (ERISA) LITIGATION**

Motion of defendants Express Scripts Holding Company; Express Scripts, Inc.; George Paz; Timothy Wentworth; Eric Slusser; David Queller; James M. Havel; Maura C. Breen; William J. DeLaney; Elder Granger; Nicholas J. LaHowchic; Thomas P. MacMahon; Frank Mergenthaler; Woodrow A. Myers, Jr.; Roderick A. Palmore; William L. Roper; Seymour Sternberg; Christopher A. McGinnis; Gary G. Benanav; and Christopher K. Knibb to transfer the following actions to the United States District Court for the Eastern District of Missouri:

Eastern District of Missouri

GREEN, ET AL. v. PAZ, ET AL., C.A. No. 4:16-01900



Southern District of New York

IN RE EXPRESS SCRIPTS HOLDINGS COMPANY SECURITIES LITIGATION,  
C.A. No. 1:16-03338  
IN RE EXPRESS SCRIPTS/ANTHEM ERISA LITIGATION, C.A. No. 1:16-03399  
CARPENTERS PENSION FUND OF WEST VIRGINIA v. BREEN, ET AL.,  
C.A. No. 1:16-07500

MDL No. 2770 - **IN RE: 1-800 CONTACTS ANTITRUST LITIGATION**

Motion of plaintiffs Daniel Bartolucci, et al., to transfer the following actions to the United States District Court for the District of Columbia:

District of District of Columbia

BARTOLUCCI, ET AL. v. 1-800 CONTACTS, INC., C.A. No. 1:17-00097  
HENRY v. 1-800 CONTACTS, INC., ET AL., C.A. No. 1:17-00117

Eastern District of Pennsylvania

BEAN v. 1-800 CONTACTS, INC., C.A. No. 2:16-05726  
ZIMMERMAN, ET AL. v. 1-800 CONTACTS, INC., C.A. No. 2:16-06417

District of Utah

THOMPSON, ET AL. v. 1-800 CONTACTS, INC., ET AL., C.A. No. 2:16-01183  
STILLINGS v. 1-800-CONTACTS, INC., C.A. No. 2:16-01257

MDL No. 2771 - **IN RE: SAMSUNG GALAXY SMARTPHONE MARKETING AND SALES PRACTICES LITIGATION**

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

Northern District of California

MARTIN, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:16-06391  
PIRVERDIAN, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:16-07325  
ANGUIANO v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:17-00315

Southern District of New York

GILLIGAN v. SAMSUNG ELECTRONICS AMERICA, INC., C.A. No. 1:16-09803

MDL No. 2772 – **IN RE: SORIN 3T HEATER-COOLER SYSTEM PRODUCTS  
LIABILITY LITIGATION**

Motion of plaintiffs Phillip Lamar West, et al., to transfer the following actions to the United States District Court for the District of South Carolina:

Southern District of Iowa

CRAWFORD, ET AL. v. LIVANOVA PLC, ET AL., C.A. No. 3:16-00103  
PRESCOTT v. LIVANOVA PLC, ET AL., C.A. No. 4:16-00472

Western District of North Carolina

BLEVINS v. LIVANOVA PLC, ET AL., C.A. No. 3:16-00785

Middle District of Pennsylvania

BAKER, ET AL. v. LIVANOVA PLC, C.A. No. 1:16-00260

District of South Carolina

FOSTER v. LIVANOVA PLC, ET AL., C.A. No. 3:17-00218  
WEINACKER v. LIVANOVA PLC, ET AL., C.A. No. 6:16-02286  
FOWLER, ET AL. v. LIVANOVA PLC, ET AL., C.A. No. 6:16-02307  
BAGWELL, ET AL. v. LIVANOVA PLC, ET AL., C.A. No. 6:16-02308  
MATTISON v. SORIN GROUP DEUTSCHLAND GMBH, ET AL.,  
C.A. No. 6:16-03128  
THOMASON, ET AL. v. SORIN GROUP DEUTSCHLAND GMBH, ET AL.,  
C.A. No. 6:16-03129  
JOHNSON v. SORIN GROUP DEUTSCHLAND GMBH, ET AL.,  
C.A. No. 6:16-03130  
SMITH v. SORIN GROUP DEUTSCHLAND GMBH, ET AL., C.A. No. 6:16-03131  
GILSTRAP, ET AL. v. SORIN GROUP DEUTSCHLAND GMBH, ET AL.,  
C.A. No. 6:16-03132  
WEST, ET AL. v. LIVANOVA PLC, ET AL., C.A. No. 8:16-02688

District of South Dakota

EISENBERG, ET AL. v. SORIN GROUP DEUTSCHLAND GMBH, ET AL.,  
C.A. No. 4:16-04175

MDL No. 2773 – **IN RE: QUALCOMM ANTITRUST LITIGATION**

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

Northern District of California

FEDERAL TRADE COMMISSION v. QUALCOMM INCORPORATED,  
C.A. No. 5:17-00220  
BORNSTEIN, ET AL. v. QUALCOMM INCORPORATED, C.A. No. 5:17-00234  
STROMBERG, ET AL. v. QUALCOMM INCORPORATED, C.A. No. 5:17-00304  
MCMAHON v. QUALCOMM INCORPORATED, C.A. No. 5:17-00372  
BOARDSPORTS SCHOOL LLC v. QUALCOMM INCORPORATED,  
C.A. No. 5:17-00398

Southern District of California

APPLE INC. v. QUALCOMM INCORPORATED, C.A. No. 3:17-00108  
MILLER v. QUALCOMM INCORPORATED, C.A. No. 3:17-00147  
MACKAY, ET AL. v. QUALCOMM INCORPORATED, C.A. No. 3:17-00148

MDL No. 2775 – **IN RE: SMITH & NEPHEW BHR & R3 HIP IMPLANT PRODUCTS  
LIABILITY LITIGATION**

Motion of plaintiffs Sidney Rand, Cynthia Kruse, Marla Hand, Sarah Crews, Alberto Grazia, Lori LeBlanc, Heidi Marion, and Steven Zingler to transfer the following actions to the United States District Court for the District of Maryland:

District of Arizona

SPELLMAN v. SMITH & NEPHEW, INC., C.A. No. 3:16-08080

Central District of California

RAND v. SMITH & NEPHEW, INC., C.A. No. 2:16-09383

District of Colorado

HUNT v. SMITH & NEPHEW, INC., C.A. No. 1:16-02401  
KRUSE, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 1:16-03117

District of Connecticut

LAFOUNTAIN v. SMITH & NEPHEW, INC., C.A. No. 3:14-01598  
MCANNENY v. SMITH & NEPHEW, INC., C.A. No. 3:17-00012

Central District of Illinois

COCHRAN v. SMITH & NEPHEW, INC., C.A. No. 1:16-01121  
TIPSORD, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 1:16-01339

Northern District of Illinois

LAVERTY, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 1:15-09485  
HAND, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 1:17-00432

Eastern District of Kentucky

CREWS v. SMITH & NEPHEW, INC., C.A. No. 5:16-00471

District of Maryland

WILLIAMS, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 1:14-03138  
TWIGG, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 1:17-00256

Eastern District of Michigan

PESICK v. SMITH & NEPHEW, INC., C.A. No. 2:17-10219  
GAFFKE v. SMITH & NEPHEW, INC., C.A. No. 2:17-10246

Southern District of Mississippi

SWITZER v. SMITH & NEPHEW, INC., C.A. No. 1:16-00351

Western District of Missouri

TINER v. SMITH & NEPHEW, INC., C.A. No. 6:17-03021

Northern District of New York

BALCH, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 5:16-00112

Eastern District of North Carolina

REDICK, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 7:17-00015

Northern District of Ohio

GRAZIA v. SMITH & NEPHEW, INC., C.A. No. 1:16-03051

Northern District of Texas

KIRBY, ET AL. v. SMITH & NEPHEW, INC., ET AL., C.A. No. 3:15-02543

Southern District of Texas

TAYLOR, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 2:17-00038  
LEBLANC v. SMITH & NEPHEW, INC., C.A. No. 4:17-00022

District of Utah

MARION, ET AL. v. SMITH & NEPHEW, C.A. No. 1:15-00096

Western District of Virginia

GOWIN v. SMITH & NEPHEW, INC., C.A. No. 6:16-00061

Southern District of West Virginia

RAAB, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 2:14-30279  
LEWIS v. SMITH & NEPHEW, INC., C.A. No. 2:16-11631  
STARCHER, ET AL. v. SMITH & NEPHEW, INC., C.A. No. 2:17-00609

Eastern District of Wisconsin

ZINGLER v. SMITH & NEPHEW, INC., C.A. No. 1:16-01599

Western District of Wisconsin

FOX v. SMITH & NEPHEW, INC., C.A. No. 3:16-00798

MDL No. 2776 – **IN RE: FARXIGA (DAPAGLIFLOZIN) PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Chaim Z. Aron to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of Alabama

FORAN v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–00471

Southern District of Illinois

BLEDSOE v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 3:16–01295

Eastern District of Louisiana

MOORE v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 2:16–16809

Northern District of Mississippi

YOUNG v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 4:16–00108

Southern District of New York

WARNER v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08187  
HUDSON, ET AL. v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08888  
POPWELL v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08915  
DOTY, ET AL. v. BRISTOL–MEYERS SQUIBB CO., ET AL., C.A. No. 1:16–08951  
PONCE v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08959  
FOWLER, ET AL. v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08960  
PEREZ, ET AL. v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08961  
PROSSER v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–08962  
BURKETT, ET AL. v. BRISTOL–MYERS SQUIBB CO., ET AL.,  
C.A. No. 1:16–08985  
ASSAVEDO v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–09330  
COLLINS v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–09722  
ARON v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–10003  
CORMIER v. BRISTOL–MYERS SQUIBB CO., ET AL., C.A. No. 1:16–10046

Eastern District of Pennsylvania

SEAY v. JANSSEN PHARMACEUTICALS, INC., ET AL., C.A. No. 2:16–05946

MDL No. 2777 – **IN RE: CHRYSLER–DODGE–JEEP ECODIESEL MARKETING,  
SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff R.D. Warren to transfer the following actions to the United States District Court for the Northern District of Alabama:

Northern District of Alabama

WARREN v. FIAT CHRYSLER AUTOMOBILES N.V., ET AL., C.A. No. 7:17–00059

Northern District of California

CHAVEZ v. FCA US LLC, ET AL., C.A. No. 3:16–06909

FASCHING, ET AL. v. FCA US LLC, ET AL., C.A. No. 3:17–00231

CARPENTER, ET AL. v. FCA US LLC, ET AL., C.A. No. 3:17–00288

KITCHEL, ET AL. v. FCA US LLC, ET AL., C.A. No. 3:17–00538

Southern District of California

SEBASTIAN v. FCA US LLC, ET AL., C.A. No. 3:17–00085

Eastern District of Michigan

BLEDSON, ET AL. v. FCA US LLC, ET AL., C.A. No. 4:16–14024

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 2179 – IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN THE GULF OF MEXICO, ON APRIL 20, 2010**

Opposition of plaintiff Environmental Litigation Group PC to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Northern District of Alabama

ENVIRONMENTAL LITIGATION GROUP PC v. BP PLC, ET AL.,  
C.A. No. 2:17-00050

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

Opposition of plaintiff Adam Hoover to transfer of the following action to the United States District Court for the Southern District of California:

Middle District of Pennsylvania

HOOVER v. PORTFOLIO RECOVERY ASSOCIATES, LLC, C.A. No. 1:16-02418

**MDL No. 2326 – IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Opposition of defendant William Parks Stanell, M.D., to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Eastern District of Pennsylvania

MCGUIRE v. BOSTON SCIENTIFIC CORP., ET AL., C.A. No. 2:17-00091



MDL No. 2327 – **IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Debra Stomel and Cynthia Patten and defendants Halina M. Zyczynski, M.D.; University of Pittsburgh Physicians; Womens Center for Bladder and Pelvic Health; Magee Womens Hospital of UPMC; and UPMC to transfer of the following actions to the United States District Court for the Southern District of West Virginia:

Central District of California

STOMEL v. ETHICON, INC., ET AL., C.A. No. 2:16-08830

Western District of Pennsylvania

PATTEN v. ZYCZYNSKI, ET AL., C.A. No. 2:16-01747

MDL No. 2441 – **IN RE: STRYKER REJUVENATE AND ABG II HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Pamela J. Friend to transfer of the following action to the United States District Court for the District of Minnesota:

District of Colorado

FRIEND v. HOWMEDICA OSTEONICS CORPORATION, C.A. No. 1:16-03096

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

Opposition of plaintiffs William J. Carter, D.D.S., et al.; Hillsboro Animal Hospital, LLC; and Michael MacQuarrie, M.D., to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

Middle District of Tennessee

CARTER, ET AL. v. STERICYCLE, INC., C.A. No. 3:16-03278  
HILLSBORO ANIMAL HOSPITAL, LLC v. STERICYCLE, INC.,  
C.A. No. 3:16-03279  
MACQUARRIE v. STERICYCLE, INC., C.A. No. 3:16-03280

MDL No. 2570 – **IN RE: COOK MEDICAL, INC., IVC FILTERS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Kenyon Allen Collins, et al., and Anthony Halinski, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

Eastern District of Missouri

COLLINS, ET AL. v. COOK GROUP INCORPORATED, ET AL.,

C.A. No. 4:16-02140

HALINSKI, ET AL. v. COOK GROUP INCORPORATED, ET AL.,

C.A. No. 4:16-02141

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Christine Craig, et al.; Geraldine Breaud; Susan Colbert-Threats, et al.; and Marvin Daniels, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Central District of California

CRAIG, ET AL. v. JANSSEN RESEARCH AND DEVELOPMENT, LLC, ET AL.,

C.A. No. 5:17-00022

Eastern District of California

BREAUD v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,

C.A. No. 1:16-01932

Eastern District of Missouri

COLBERT-THREATS, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL., C.A. No. 4:16-01888

DANIELS, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,

C.A. No. 4:16-02162

MDL No. 2599 – **IN RE: TAKATA AIRBAG PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Rory Fite to transfer of the following action to the United States District Court for the Southern District of Florida:

Middle District of Georgia

FITE v. TAKATA CORPORATION, ET AL., C.A. No. 4:16-00373

MDL No. 2641 – **IN RE: BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Michelle Valentine, et al., to transfer of the following action to the United States District Court for the District of Arizona:

Central District of California

MICHELLE VALENTINE, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 2:17-00384

MDL No. 2666 – **IN RE: BAIR HUGGER FORCED AIR WARMING DEVICES PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Hollis Jennings, et al., and Mark Weisbrod, et al., to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Eastern District of Missouri

JENNINGS, ET AL. v. 3M COMPANY, ET AL., C.A. No. 4:17-00012  
WEISBROD, ET AL. v. 3M COMPANY, ET AL., C.A. No. 4:17-00023

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

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

District of Colorado

BAKER v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No.1:17-00169  
BETTENCOURT, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:17-00171

CHAVEZ, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:17-00172  
FOX, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:17-00173  
MCDONALD, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:17-00177  
PONTARELLI v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:17-00181

Northern District of Ohio

RUDIN v. GANLEY WESTSIDE IMPORTS, INC., ET AL., C.A. No. 1:16-02961

District of Oregon

AUKER v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-02386  
BEARD v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-02388  
CHURCHLEY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 3:16-02389  
HEBROD v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-02390  
HOBIZAL, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 3:16-02391  
JERMAN v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-02392  
JERMAN v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-02393  
RIPKE v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-02395  
SMITH, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, C.A. No. 3:16-02396  
LEE, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:17-00003

Southern District of Texas

DAVILA, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 7:16-00695

MDL No. 2691 - **IN RE: VIAGRA (SILDENAFIL CITRATE) AND CIALIS  
(TADALAFIL) PRODUCTS LIABILITY LITIGATION**

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

Eastern District of Missouri

SMITH, ET AL. v. PFIZER, INC., C.A. No. 4:17-00110

MDL No. 2724 – **IN RE: GENERIC DIGOXIN AND DOXYCYCLINE ANTITRUST LITIGATION**

Motion of plaintiff Rochester Drug Co-Operative, Inc., to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

District of New Jersey

FWK HOLDINGS, LLC v. TELIGENT, INC., ET AL., C.A. No. 1:16-09475

Southern District of New York

FWK HOLDINGS, LLC v. FOUGERA PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:16-09897

FWK HOLDINGS, LLC v. FOUGERA PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:16-09898

FWK HOLDINGS, LLC v. FOUGERA PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:16-09899

IN RE LEVOTHYROXINE ANTITRUST LITIGATION, C.A. No. 1:16-09900

FWK HOLDINGS, LLC v. ACTAVIS ELIZABETH, LLC, ET AL.,  
C.A. No. 1:16-09901

CESAR CASTILLO, INC. v. SANDOZ, INC., ET AL., C.A. No. 1:16-09949

CESAR CASTILLO, INC. v. FOUGERA PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:16-09956

CESAR CASTILLO, INC. v. FOUGERA PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:16-10063

CESAR CASTILLO, INC. v. ACTAVIS ELIZABETH, LLC, ET AL.,  
C.A. No. 1:17-00078

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

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

Eastern District of Missouri

LEWIS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01882

MOORE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01915

HINTON, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01934

JONES, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01943

REA, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-02165

LAGRONE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-00066

Western District of Missouri

GLENN, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:16-01261

MDL No. 2740 – **IN RE: TAXOTERE (DOCETAXEL) PRODUCTS LIABILITY LITIGATION**

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

Central District of California

CASTAGNOLA v. SANOFI S.A., ET AL., C.A. No. 2:16-09434

GARDNER v. SANOFI S.A., ET AL., C.A. No. 2:16-09471

Northern District of California

JENKINS v. SANOFI S.A., ET AL., C.A. No. 3:16-07306

ERNYES-KOFLER, ET AL. v. SANOFI S.A., ET AL., C.A. No. 5:16-07307

District of Delaware

ANTHONY v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01179

ALLEN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01180

ARRINGTON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01183

AUSTIN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01187

BLUNT v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01188

BROOKS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01189

BROOKS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01190

BROWN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01191

BROWN v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01192

BRYANT, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01193

CARLISLE v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01195

CHAPMAN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01197

CHAPPELL v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01198

CLARK v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01199

COLEMAN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01200

COOK v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01201

CROSS, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01202

DARDEN v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01207

DAVIS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01208

DAVIS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01209

DOBSON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01210

DUNCAN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01211

FAIR, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01212

FLUELLEN v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01213

FLYNSMITH, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL.,  
C.A. No. 1:16-01214  
FORD v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01215  
FREEMAN, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01216  
GARRETT v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01219  
GILLIAM v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01223  
HAMPTON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01225  
ZANDERS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01226  
GOGGANS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01227  
HARMON, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01230  
HAYNES v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01231  
HAYWOOD v. SANOFI-AVENTIS U.S. LLC, C.A. No. 1:16-01234  
HORTON v. SANOFI-AVENTIS U.S. LLC, C.A. No. 1:16-01235  
YOUNGBLOOD v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01237  
WILSON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01238  
HOWARD v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01241  
HYMES, ET AL. v. SANOFI U.S. SERVICES INC., ET AL., C.A. No. 1:16-01242  
WILLIAMS, ET AL. v. SANOFI U.S. SERVICES INC., ET AL., C.A. No. 1:16-01244  
YOUNG v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01245  
JACKSON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01246  
KNIGHTEN ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01247  
YOUNG v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01248  
RODGERS, ET AL., v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01249  
WASHINGTON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01250  
LAMB v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01251  
WARREN v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01252  
WALKER v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01253  
LEWIS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01256  
ROBINSON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01257  
LIVINGS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01258  
RAY v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01259  
WALKER v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01260  
LYLES v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01261  
PAYTON, ET AL., v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01262  
WALKER, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01263  
TURNER v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01264  
LOCKE ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01265  
NIXON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01268  
MARBURY v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01269  
MULLINS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01270  
MYRICK v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01271  
TUCKER v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01272  
NATION v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01273  
NEMEC v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01274  
TOLBERT v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01276

NEVELS, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01277  
TIMBERMAN v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01278  
SELF v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01284  
SMITH v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01286  
THOMAS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01287  
SPENCE v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01288  
THOMAS v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01289  
STEWART v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01290  
TENORT v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01291  
STONE v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01292  
TAYLOR v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01293  
TAYLOR, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01294  
TAYLOR, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01295  
TAYLOR v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:16-01296  
STROTHER, ET AL. v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:17-00012

Eastern District of Missouri

VINSON, ET AL. v. SANOFI S.A., ET AL., C.A. No. 4:16-02137

MDL No. 2742 - **IN RE: SUNEDISON, INC., SECURITIES LITIGATION**

Opposition of defendants The Plan Investment Committee, Peter Blackmore, Nabeel Gareeb, Marshall Turner, Robert J. Boehlke, John Marren, C. Douglas Marsh, William E. Stevens, James B. Williams, Ahmad R. Chatila, Michael McNamara, Kenneth H. Hannah, Mignon Cabrera, Jairaj Chetnani, Brandi Wallace, and James Welsh to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of Missouri

JONES v. SUNEDISON, INC., ET AL., C.A. No. 4:08-01991



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.

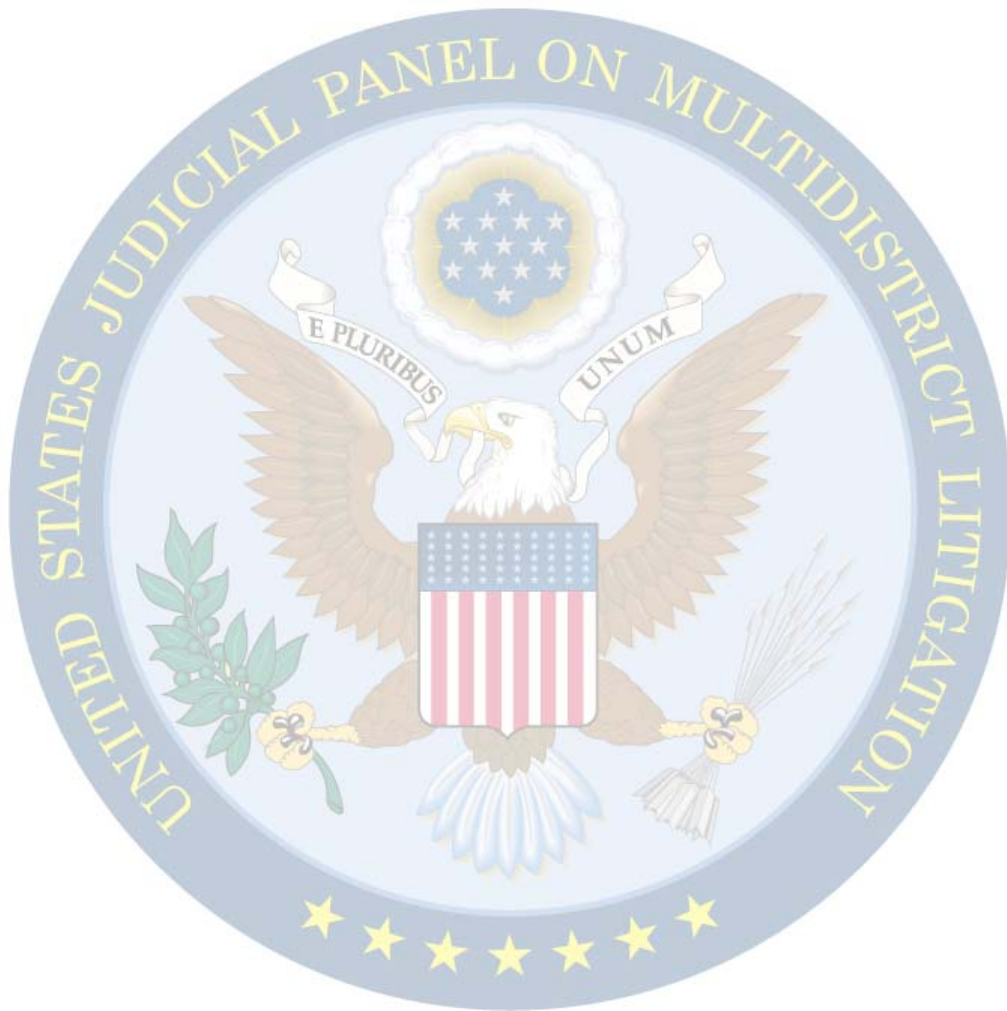
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make 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 to actions 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.

# Hearing Session Order & Amendments



May 25, 2017

**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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **May 25, 2017**

LOCATION OF HEARING SESSION: John H. Wood, Jr. United States Courthouse  
Courtroom #1, First Floor  
655 East Cesar E. Chavez Boulevard  
San Antonio, Texas 78206

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.

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- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

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 **May 8, 2017**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a long horizontal flourish extending to the right.

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the Western District of Texas

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 May 25, 2017, the Panel will convene a hearing session in San Antonio, Texas, 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



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
May 25, 2017 -- San Antonio, Texas

**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. 2778 – IN RE: MONAVIE JUICE PRODUCTS MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Andrew Harbut and Lisa Pontrelli to transfer the following actions to the United States District Court for the District of Utah:

Central District of California

PARKER, ET AL. v. MONAVIE, INC., ET AL., C.A. No. 5:12-01983

District of New Jersey

PONTRELLI v. MONA VIE, INC., ET AL., C.A. No. 2:13-04649

District of Utah

STARR INDEMNITY & LIABILITY v. MONAVIE, INC., ET AL.,  
C.A. No. 2:14-00395

**MDL No. 2779 – IN RE: FIELDTURF ARTIFICIAL TURF MARKETING AND SALES PRACTICES LITIGATION**

Motion of defendants FieldTurf USA, Inc.; FieldTurf, Inc.; Tarkett, Inc.; and FieldTurf Tarkett SAS to transfer the following actions to the United States District Court for the District of New Jersey:

Central District of California

SANTA YNEZ VALLEY UNION HIGH SCHOOL DISTRICT v. FIELDTURF, USA,  
INC., ET AL., C.A. No. 2:17-01214

Eastern District of California

LAKE TAHOE UNIFIED SCHOOL DISTRICT v. FIELDTURF, USA, INC., ET AL.,  
C.A. No. 2:17-00405

District of Minnesota

THE PAW, INC., v. FIELDTURF USA, INC., ET AL., C.A. No. 0:17-00274

District of New Jersey

CARTERET v. FIELDTURF USA, INC., ET AL., C.A. No. 2:16-09252  
GENTILE v. FIELDTURF USA, INC., ET AL., C.A. No. 2:17-00173

MDL No. 2780 – **IN RE: BRAZILIAN PROSTHETIC DEVICE BRIBERY LITIGATION**

Motion of plaintiff Associação Brasileira de Medicina de Grupo to transfer the following actions to the United States District Court for the Northern District of Illinois:

District of Delaware

ASSOCIACAO BRASILEIRA DE MEDICINA DE GRUPO v. BOSTON SCIENTIFIC CORPORATION, ET AL., C.A. No. 1:16-01184

Northern District of Illinois

ASSOCIACAO BRASILEIRA DE MEDICINA DE GRUPO D/B/A ABRAMGE v. ABBOTT LABORATORIES, INC., C.A. No. 1:16-11326

Western District of Michigan

ASSOCIACAO BRASILEIRA DE MEDICINA DE GRUPO v. STRYKER CORPORATION, C.A. No. 1:16-01366

MDL No. 2782 – **IN RE: ETHICON PHYSIOMESH FLEXIBLE COMPOSITE HERNIA MESH PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Alison Keefer, et al.; Lillian Graham; Edith J. Carr, et al.; Sarah Ann Gilman; David A. Sunter; Connie Franklin, et al.; Henry Lee Brown; Jeffrey Leyton Winfrey; and Eddie Shelton, et al., to transfer the following actions to 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 Illinois:

District of Colorado

BARAKOVA, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00543  
KEEFER, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00603

Middle District of Florida

GRAHAM v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:17-00229  
QUINN v. ETHICON, INC., ET AL., C.A. No. 6:16-01663  
CARR, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 6:17-00393  
MILLER v. JOHNSON & JOHNSON, ET AL., C.A. No. 6:17-00503  
GILMAN v. JOHNSON & JOHNSON, ET AL., C.A. No. 8:16-03502  
SUNTER v. JOHNSON & JOHNSON, ET AL., C.A. No. 8:17-00113

Middle District of Georgia

FRANKLIN, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-00031

Northern District of Georgia

BROWN v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-00036  
WINFREY v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-00040

Southern District of Illinois

HUFF v. ETHICON, INC., C.A. No. 3:16-00368  
WORRELL v. ETHICON, INC., ET AL., C.A. No. 3:17-00172

Eastern District of Kentucky

CARRILLO v. JOHNSON & JOHNSON, ET AL., C.A. No. 7:17-00037



District of Massachusetts

WATRING v. ETHICON, INC., C.A. No. 1:16-12278

District of New Jersey

RAMEY v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:17-01455

Northern District of Oklahoma

COX v. ETHICON, INC., C.A. No. 4:16-00729

District of South Carolina

SHELTON, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 2:17-00614

MDL No. 2783 – **IN RE: PREVAGEN PRODUCTS MARKETING AND SALES  
PRACTICES LITIGATION**

Motion of defendants Quincy Bioscience Holding Company, Inc.; Quincy Bioscience, LLC; Prevagen, Inc. d/b/a Sugar River Supplements; Quincy Bioscience Manufacturing, LLC; Mark Underwood; and Michael Beaman to transfer the following actions to the United States District Court for the Southern District of New York:

Northern District of California

RACIES v. QUINCY BIOSCIENCE, LLC, C.A. No. 4:15-00292

District of New Jersey

VANDERWERFF v. QUINCY BIOSCIENCE HOLDING COMPANY, INC., ET AL.,  
C.A. No. 2:17-00784

Eastern District of New York

KARATHANOS v. QUINCY BIOSCIENCE HOLDING COMPANY, INC., ET AL.,  
C.A. No. 2:17-01091

Southern District of New York

FEDERAL TRADE COMMISSION, ET AL. v. QUINCY BIOSCIENCE HOLDING  
COMPANY, INC., ET AL., C.A. No. 1:17-00124

MDL No. 2784 - **IN RE: UBER TECHNOLOGIES, INC., WAGE AND HOUR  
EMPLOYMENT PRACTICES LITIGATION (NO. II)**

Motion of plaintiff Sebastian A. Rojas to transfer the following actions to the United States District Court for the Southern District of Florida:

Southern District of Florida

ROJAS v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 1:16-23670

Middle District of North Carolina

HOOD v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 1:16-00998

Eastern District of Tennessee

ROMINE v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 3:16-00371

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

MDL No. 2199 – **IN RE: POM WONDERFUL LLC MARKETING AND SALES  
PRACTICES LITIGATION**

Motion of plaintiffs for remand, pursuant to 28 U.S.C. § 1407(a), of their respective following actions to their respective transferor courts:

Western District of Arkansas

PIROLOZZI, ET AL. v. POM WONDERFUL, LLC, ET AL., C.A. No. 6:10-06082

Northern District of California

HOLTER v. POMWONDERFUL LLC, C.A. No. 3:10-05583

Southern District of Florida

GILES v. POM WONDERFUL LLC, C.A. No. 0:10-61684

Southern District of Georgia

TEMPLETON v. POM WONDERFUL, LLC, ET AL., C.A. No. 4:12-00053

Northern District of Illinois

FLAHERTY v. POM WONDERFUL, LLC, ET AL., C.A. No. 1:10-07349

District of Kansas

HAYNES v. POM WONDERFUL, LLC, ET AL., C.A. No. 2:10-02663

Western District of Missouri

WILKINSON v. POM WONDERFUL, ET AL., C.A. No. 2:10-01266

Southern District of New York

SEARLS v. POM WONDERFUL, LLC, ET AL., C.A. No. 1:10-08678

Northern District of Ohio

POGREBINSKY v. POM WONDERFUL, LLC, C.A. No. 1:10-01455  
CHAPMAN v. POM WONDERFUL, LLC, ET AL., C.A. No. 1:10-02599

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

Opposition of plaintiff Alan Pearson to transfer of the following action to the United States District Court for the Southern District of California:

Eastern District of Louisiana

PEARSON v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 2:17-01580

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

Oppositions of plaintiffs Adrian Claiborne, Robert R. Vsetula, and Kevin Vance to transfer of their respective following actions to the United States District Court for the Southern District of California:

Middle District of Georgia

CLAIBORNE v. PORTFOLIO RECOVERY ASSOCIATES LLC, C.A. No. 5:17-00065

Western District of Michigan

VSETULA v. PORTFOLIO RECOVERY ASSOCIATES, LLC, C.A. No. 1:17-00043  
VANCE v. PORTFOLIO RECOVERY ASSOCIATES, LLC, C.A. No. 1:17-00110

MDL No. 2327 – **IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION**

Opposition of plaintiffs Cinthia Cuevas, et al., to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Eastern District of Missouri

CUEVAS, ET AL. v. ETHICON, INC., ET AL., C.A. No. 4:17-00498

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

Opposition of plaintiff Tonetta S. Davis to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of Illinois

DAVIS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:17-02060

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

Motion of defendant Convergent Outsourcing, Inc., to transfer the following actions to the United States District Court for the District of Connecticut:

District of Kansas

ROBINSON v. CONVERGENT OUTSOURCING, INC., C.A. No. 2:17-02066

Eastern District of Louisiana

BOWENS v. CONVERGENT OUTSOURCING, INC., C.A. No. 2:16-16752

Eastern District of Oklahoma

HURLEY v. CONVERGENT OUTSOURCING, INC., C.A. No. 6:17-00059

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

Opposition of plaintiff Amber Synott to transfer of the following action to the United States District Court for the Southern District of New York:

District of Connecticut

SYNOTT v. GENERAL MOTORS LLC, ET AL., C.A. No. 3:17-00098

MDL No. 2570 – **IN RE: COOK MEDICAL, INC., IVC FILTERS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

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

Eastern District of Missouri

CLARK, ET AL. v. COOK GROUP, INC., ET AL., C.A. No. 4:17-00771

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

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

Central District of California

MORY v. JANSSEN RESEARCH AND DEVELOPMENT, LLC, ET AL.,  
C.A. No. 2:17-01954

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

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

District of New Jersey

DORSEY v. TD BANK, N.A., C.A. No. 1:17-00074

MDL No. 2641 – **IN RE: BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Kaleidah Jackson, et al., to transfer of the following action to the United States District Court for the District of Arizona:

Eastern District of Missouri

JACKSON, ET AL. v. C. R. BARD, INC., ET AL., C.A. No. 4:17-00974

MDL No. 2666 – **IN RE: BAIR HUGGER FORCED AIR WARMING DEVICES  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Leonard Smalls to transfer of the following action to the United States District Court for the District of Minnesota:

Eastern District of New York

SMALLS v. 3M COMPANY, ET AL., C.A. No. 1:17-01100

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Marshall Allman, et al.; Norman Brooks, et al.; and Joshua Cantu, et al., to transfer of their respective following actions to the United States District Court for the Northern District of California:

Central District of California

ALLMAN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 2:17-01369

Middle District of Florida

BROOKS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 8:17-00314

Southern District of Texas

CANTU, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:17-00012

MDL No. 2722 – **IN RE: MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,  
PATENT LITIGATION**

Motion of defendant Cellco Partnership d/b/a Verizon Wireless to transfer the following action to the United States District Court for the District of Delaware:

Eastern District of Texas

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. CELLCO  
PARTNERSHIP D/B/A VERIZON WIRELESS, C.A. No. 2:16-01324

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS  
MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

Oppositions of plaintiffs Kerry Ghormley, et al.; Jean Krueger, et al.; Mari-Grace Hensley, et al.; and Bernadine Moore, et al., to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Eastern District of Missouri

GHORMLEY, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-00585  
KRUEGER, ET AL. v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 4:17-00839  
HENSLEY, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-00972

Eastern District of Pennsylvania

MOORE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 2:17-01164

MDL No. 2740 – **IN RE: TAXOTERE (DOCETAXEL) PRODUCTS LIABILITY  
LITIGATION**

Oppositions of plaintiffs Vera Smith; Judy Johnson; and Emma J. Whitted, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Central District of California

SMITH v. SANOFI-AVENTIS U.S. LLC, ET AL., C.A. No. 2:17-00870

Eastern District of California

JOHNSON v. SANOFI S.A., ET AL., C.A. No. 1:17-00196

Eastern District of Missouri

WHITTED, ET AL. v. SANOFI S.A., ET AL., C.A. No. 4:17-00769



MDL No. 2742 – **IN RE: SUNEDISON, INC., SECURITIES LITIGATION**

Opposition of plaintiff Carlos Domenech Zornoza to transfer of the following action to the United States District Court for the Southern District of New York:

District of Maryland

ZORNOZA v. TERRAFORM GLOBAL, INC., ET AL., C.A. No. 8:17-00515

MDL No. 2754 – **IN RE: ELIQUIS (APIXABAN) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Central District of California

LEBASTCHI v. MCKESSON CORPORATION, ET AL., C.A. No. 2:16-08115  
DELLUTRI v. MCKESSON CORPORATION, ET AL., C.A. No. 2:16-08124  
WILLIAMS v. MCKESSON CORPORATION, ET AL., C.A. No. 2:16-08133  
AGUIRRE, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:16-08137  
BARKSKY, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:16-09516  
JACKSON, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:17-00354  
GARCIA, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:17-01385  
HAYES v. MCKESSON CORPORATION, ET AL., C.A. No. 5:16-02280  
ALTARE, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 5:16-02621  
STUART v. MCKESSON CORPORATION, ET AL., C.A. No. 8:16-01988

Eastern District of California

STARK, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:17-00095

Northern District of California

SCHNEIDER v. MCKESSON CORPORATION, ET AL., C.A. No. 3:17-00876  
HERNANDEZ v. MCKESSON CORPORATION, ET AL., C.A. No. 3:17-00891  
STETLER, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 4:17-00895  
LAUACHUS, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 4:17-01286

Southern District of California

QUARG v. MCKESSON CORPORATION, ET AL., C.A. No. 3:16-02711  
FONGER, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:16-02719

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.

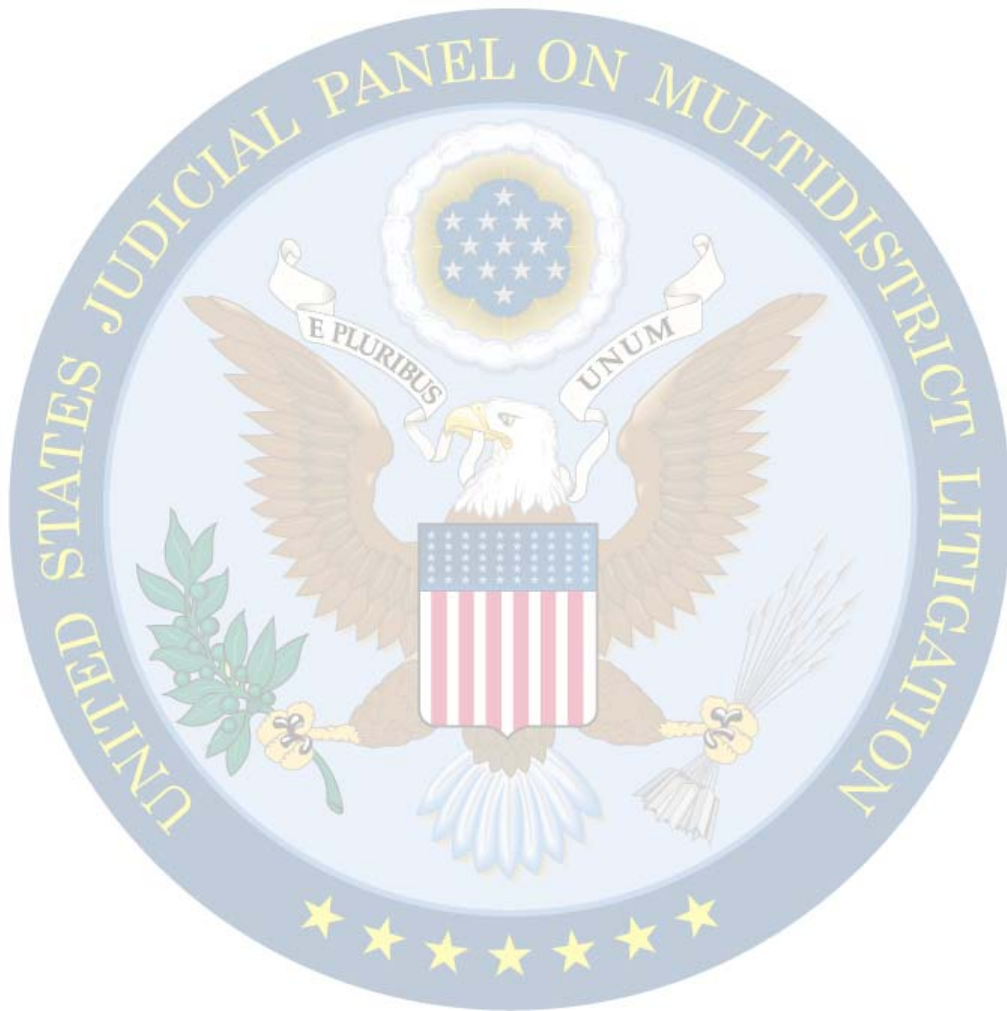
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make 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 to actions 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.

# Hearing Session Order & Amendments



July 27, 2017

**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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **July 27, 2017**

LOCATION OF HEARING SESSION: United States Courthouse  
Courtroom 5B, 5th Floor  
350 West 1st Street  
Los Angeles, California 90012-4565

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.

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- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

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 **July 10, 2017**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a long horizontal flourish extending to the right.

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the Central 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 July 27, 2017, the Panel will convene a hearing session in Los Angeles, 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



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
July 27, 2017 -- Los Angeles, 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. 2785 – IN RE: EPIPEN (EPINEPHRINE INJECTION, USP) MARKETING,  
SALES PRACTICES AND ANTITRUST LITIGATION**

Motion of plaintiffs Angie Nordstrum, et al., to transfer the following actions to the United States District Court for the District of New Jersey:

Northern District of Illinois

AGGARWAL v. MYLAN PHARMACEUTICALS INC., ET AL.,  
C.A. No. 1:17-02189

District of Kansas

IN RE: EPIPEN AUTO-INJECTOR LITIGATION, C.A. No. 2:16-02711

District of New Jersey

NORDSTRUM, ET AL. v. MYLAN INC., ET AL., C.A. No. 2:17-02401  
SANOFI-AVENTIS U.S. LLC v. MYLAN INC., ET AL., C.A. No. 3:17-02763

Western District of Washington

RAINEY, ET AL. v. MYLAN SPECIALTY L.P., C.A. No. 3:17-05244

MDL No. 2786 – **IN RE: AMERICAN CIVIL LIBERTIES UNION FREEDOM OF INFORMATION ACT (FOIA) REQUESTS REGARDING EXECUTIVE ORDER 13769**

Motion of defendants U.S. Department of Homeland Security and U.S. Customs and Border Protection to transfer the following actions to the United States District Court for the District of Columbia:

District of Arizona

AMERICAN CIVIL LIBERTIES UNION OF ARIZONA v. U.S. DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 2:17-01083

Central District of California

AMERICAN CIVIL LIBERTIES UNION OF SOUTHERN CALIFORNIA, ET AL. v. U.S. DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 2:17-02778

Northern District of California

ACLU OF HAWAII, ET AL. v. U.S. DEPARTMENT OF HOMELAND SECURITY, C.A. No. 4:17-01970

Southern District of California

AMERICAN CIVIL LIBERTIES UNION OF SAN DIEGO AND IMPERIAL COUNTIES v. U.S. DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 3:17-00733

Southern District of Florida

AMERICAN CIVIL LIBERTIES UNION OF FLORIDA v. U.S. DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 1:17-21382

Northern District of Georgia

AMERICAN CIVIL LIBERTIES UNION OF GEORGIA, INC., ET AL. v. U.S. DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 1:17-01309



Northern District of Illinois

AMERICAN CIVIL LIBERTIES UNION OF ILLINOIS, ET AL. v. U.S.  
DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 1:17-02768

District of Maine

AMERICAN CIVIL LIBERTIES UNION OF MAINE, ET AL. v. U.S. CUSTOMS  
AND BORDER PROTECTION, ET AL., C.A. No. 2:17-00132

Eastern District of Michigan

AMERICAN CIVIL LIBERTIES UNION OF MICHIGAN v. U.S. DEPARTMENT OF  
HOMELAND SECURITY, ET AL., C.A. No. 5:17-11149

District of Oregon

AMERICAN CIVIL LIBERTIES UNION OF OREGON, INC., ET AL. v. U.S.  
DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 3:17-00575

Southern District of Texas

ACLU FOUNDATION OF TEXAS, INC. v. U.S. CUSTOMS AND BORDER  
PROTECTION, ET AL., C.A. No. 4:17-01128

Eastern District of Virginia

AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA, ET AL. v. U.S.  
DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 1:17-00441

Western District of Washington

AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON, ET AL. v. U.S.  
DEPARTMENT OF HOMELAND SECURITY, ET AL., C.A. No. 2:17-00562

MDL No. 2787 – **IN RE: FYRE FESTIVAL LITIGATION**

Motion of plaintiffs Matthew Herlihy, et al., to transfer the following actions to the United States District Court for the Southern District of New York:

Central District of California

JUNG v. MCFARLAND, ET AL., C.A. No. 2:17-03245

Southern District of Florida

REEL, ET AL. v. MCFARLAND, ET AL., C.A. No. 1:17-21683

District of New Jersey

PETROZZIELLO v. FYRE MEDIA, INC., ET AL., C.A. No. 2:17-03018

Southern District of New York

HERLIHY, ET AL. v. FYRE MEDIA, INC., ET AL., C.A. No. 1:17-03296

DALY, ET AL. v. MCFARLAND, ET AL., C.A. No. 1:17-03461

JUTLA v. FYRE MEDIA, INC., ET AL., C.A. No. 1:17-03541

MDL No. 2788 – **IN RE: ATHENA UNIVERSAL LIFE II COST OF INSURANCE INCREASE LITIGATION**

Motion of defendant AXA Equitable Life Insurance Company to transfer the following actions to the United States District Court for the Southern District of New York:

District of Arizona

WENOKUR v. AXA EQUITABLE LIFE INSURANCE COMPANY,  
C.A. No. 2:17-00165

Central District of California

EFG BANK AG, CAYMAN BRANCH v. AXA EQUITABLE LIFE INSURANCE  
COMPANY, C.A. No. 2:16-08103

THE DUFFY 2004 LLC, ET AL. v. AXA EQUITABLE LIFE INSURANCE  
COMPANY, C.A. No. 2:17-00996

Southern District of New York

BRACH FAMILY FOUNDATION, INC. v. AXA EQUITABLE LIFE INSURANCE  
COMPANY, C.A. No. 1:16-00740

MDL No. 2789 – **IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY  
LITIGATION (NO. II)**

Motion of plaintiffs Steven Goodstein, Lakeisha Spratt, Jon Adkins, Gary Savage, Anita Pierre, Cheryl Aubrey, Diane Gilyard, Zenobia Toney, Vicky Watkins, Susan Stewart, Clara Graves, Dale Scott, Tony Carruthers, Kimberly Lee, Joseph Wilburn, Deborah Wilkerson, Laura Layton, Kelly Gutierrez, Misty Hawkins, John Hudson, Freddie Lloyd, Naomi Massengill, Bernita Garrison, and Deborah Elliott to transfer the following actions to the United States District Court for the District of New Jersey:

District of Arizona

DAVIS v. TAKEDA PHARMACEUTICALS USA INCORPORATED, ET AL.,  
C.A. No. 2:16-04485

Eastern District of California

THOMAS v. TAKEDA PHARMACEUTICALS USA, INC., ET AL.,  
C.A. No. 1:16-01566  
COSTAMAGNA, ET AL. v. THE PROCTER & GAMBLE COMPANY, ET AL.,  
C.A. No. 2:17-00409

Middle District of Florida

LEAR v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 3:17-00240

District of Idaho

BUZBEE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:17-00174

Central District of Illinois

MULLEN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 1:17-01220

Northern District of Illinois

WEITER v. TAKEDA PHARMACEUTICALS USA, INC., ET AL.,  
C.A. No. 1:16-11199  
PARKER v. TAKEDA PHARMACEUTICAL COMPANY LIMITED, ET AL.,  
C.A. No. 1:17-03764

Southern District of Illinois

COLEMAN, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:17-00130  
ROSENSTEEL, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:17-00131  
DRAVLAND, JR. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:17-00133  
RICHARDSON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:17-00406  
MCGILL, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 3:17-00461  
WINTERS, SR. v. ASTRAZENECA PHARMACEUTICALS, LP, ET AL.,  
C.A. No. 3:17-00535

District of Kansas

KOON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:16-02605  
DONECKER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:17-01082

Eastern District of Kentucky

CARPENTER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 0:16-00159  
ROBERTS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 5:17-00117  
LOCKARD, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:17-00125  
THACKER, ET AL. v. THE PROCTER & GAMBLE COMPANY, ET AL.,  
C.A. No. 7:17-00078

Western District of Kentucky

LOWE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 5:17-00078

Eastern District of Louisiana

LABICHE, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-15893  
JOHNSON, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-16424  
TILLMAN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-17742  
BALES v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:16-17744  
SELF v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:16-17746  
LEBLANC v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-17748  
EDWARDS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-17750  
DONALD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-17753  
MCCOY v. ASTRAZENECA PHARMACEUTICALS, LP, ET AL.,  
C.A. No. 2:16-17903  
ELLIS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-17904  
ROGERS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-17906  
HARTS, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02298  
WILLIAMS v. PROCTOR & GAMBLE COMPANY, ET AL., C.A. No. 2:17-03972  
MORRIS v. ASTRAZENECA LP, ET AL., C.A. No. 2:17-04804  
BRUNET v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-05114

Middle District of Louisiana

DAVIS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 3:16-00686  
SMITH v. ASTRAZENECA PHARMACEUTICALS, LP, ET AL.,  
C.A. No. 3:16-00696

Western District of Louisiana

MODICUE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:16-01444  
MILLER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:16-01455

CRANDELL v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:16-01460  
CAESAR v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00198  
BUSH v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:17-00669

District of Maine

MCGARR v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 1:17-00183

District of Maryland

BURCH v. WYETH PHARMACEUTICALS, INC., ET AL., C.A. No. 8:17-00970

Eastern District of Missouri

MILLIGAN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 4:17-01546

Western District of Missouri

FOSTER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 4:16-01106  
RATSHIDAHO v. ASTRAZENECA LP, ET AL., C.A. No. 6:16-03417  
GREGG v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:17-03101

District of New Jersey

GOODSTEIN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-05143  
SPRATT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-05523  
BOYD v. ASTRAZENECA LP, ET AL., C.A. No. 2:16-08121  
HUNTER v. ASTRAZENECA LP, ET AL., C.A. No. 2:16-08895  
ADKINS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00194  
SAVAGE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00196

PIERRE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00198  
AUBREY v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00201  
GILYARD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00202  
TONEY v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00203  
WATKINS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00204  
STEWART v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00206  
GRAVES v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00207  
SCOTT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00208  
CARRUTHERS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00211  
LEE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:17-00212  
WILBURN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00213  
WILKERSON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00215  
LAYTON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00216  
GUTIERREZ v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00217  
HAWKINS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00218  
HUDSON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00219  
LLOYD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00500  
MASSENGILL v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00761  
GARRISON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-01207  
ELLIOTT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-01413  
JAY, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-01606

MUSE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-01870

JONES v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02098

DEVITO v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02465

FOSTER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02475

LUZZO v. ASTRAZENECA LP, ET AL., C.A. No. 2:17-02567

STARKS v. ASTRAZENECA PHARMACEUTICALS, LP, ET AL.,  
C.A. No. 2:17-02597

PETTIES v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02700

ROBERTSON v. ASTRAZENECA LP, ET AL., C.A. No. 2:17-02744

PETERSON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02999

HENDERSON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03056

BOOTHE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03191

HOLLOWAY v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03192

VALENTINE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03193

ALLEN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03197

MORRIS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03200

KELLEY v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03204

HOUZER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03207

BOULER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03209

CARROLL v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03210

HUNTER-MALONE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03211

KILIAN v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03265

LANE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:17-03302



BOWENS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03316  
STUKES v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03343  
LAURENT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03346  
ZELLARS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03364  
BREWINGTON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03365  
CHISLEY v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03366  
BERNARD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03461  
MITCHELL v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03467  
LYTTLE, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03562  
TACNEAU v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03591  
HOWARD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03594  
JONES, JR. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-03606

Eastern District of New York

GAGLIO v. ASTRAZENECA PHARMACEUTICAL LP, ET AL.,  
C.A. No. 1:17-02383  
HOLBECK v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 1:17-03192

Northern District of New York

HORNFECK v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 5:16-01243

Western District of North Carolina

MOORE v. TAKEDA PHARMACEUTICALS USA, INC., ET AL.,  
C.A. No. 1:16-00364

Southern District of Ohio

BURNETT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:16-00894  
GOMEZ, ET AL. v. PROCTER & GAMBLE MANUFACTURING COMPANY,  
ET AL., C.A. No. 1:17-00340  
BUTLER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00183

Northern District of Oklahoma

BELLAMY v. TAKEDA PHARMACEUTICAL COMPANY LTD., ET AL.,  
C.A. No. 4:17-00289

Western District of Oklahoma

ROUNDTREE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 5:17-00432

Eastern District of Pennsylvania

COOPER v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00050  
STOCKTON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00051  
RUSS, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00052  
BALL, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00053  
GARRITY, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00054  
BROOKINS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00055  
VERTREES, ET AL. v. TAKEDA PHARMACEUTICAL COMPANY LIMITED,  
ET AL., C.A. No. 2:17-00079  
MARTINEZ, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00080  
PACK v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 2:17-00081  
MALLARD, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00082  
ROBINSON, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00083

DONALD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00084  
WILLINGHAM v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00095  
ANSON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00096  
BURNETT, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00097  
HALL, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00098  
STAFFORD v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00100  
HAMILTON, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00101  
KENNEDY v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00102  
KING, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00103  
BARTLETT, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00104  
MILLER, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00105  
ROMERO, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00107  
CLAXTON v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00138  
SWIFT v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00139  
PERDEW v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00140  
SEGURA v. WYETH, LLC, ET AL., C.A. No. 2:17-00141  
KETCHUM, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00142  
VALENTINE v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00148  
JONES v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00149  
GRIGGS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00150  
MCDANIEL v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00151

LAPOLLA, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00152  
PARMS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00153  
ADAMS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00154  
RUNYONS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00155  
NEWELL, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00156  
RIGGS, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00157  
WHITAKER, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-00160

District of South Carolina

ALL, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 1:17-00968  
HARRIS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 6:17-01045

District of Utah

CLARK v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 1:16-00160

Southern District of West Virginia

CHURCH, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 1:16-07910  
KREUGER, ET AL. v. ASTRAZENECA PHARMACEUTICALS LP, ET AL.,  
C.A. No. 2:17-02370

MDL No. 2790 – **IN RE: CONSTRUCTION TRADES ALTERNATIVE EMPLOYMENT  
PRACTICES LITIGATION**

Motion of plaintiffs Carl Evans, et al., to transfer the following actions to the United States District Court for the Eastern District of New York:

Eastern District of New York

EVANS, ET AL. v. THE PORT AUTHORITY OF NEW YORK & NEW JERSEY,  
ET AL., C.A. No. 1:15-03942

Southern District of New York

PERCY, ET AL. v. BRENNAN, ET AL., C.A. No. 1:73-04279

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

MDL No. 1720 – **IN RE: PAYMENT CARD INTERCHANGE FEE AND MERCHANT DISCOUNT ANTITRUST LITIGATION**

Opposition of plaintiff Luby's Fuddruckers Restaurants, LLC to transfer of the following action to the United States District Court for the Eastern District of New York:

Southern District of Texas

LUBY'S FUDDRUCKERS RESTAURANTS, LLC v. VISA INC., ET AL.,  
C.A. No. 4:17-01049

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

Opposition of plaintiffs Margarita Pothoulakis, et al., to transfer of the following action to the United States District Court for the Northern District of Texas:

Central District of California

POTHOULAKIS, ET AL. v. DEPUY ORTHOPAEDICS, INC., ET AL.,  
C.A. No. 2:17-02889

MDL No. 2326 – **IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Carolyn Turner; Susan Toweson, et al.; Sue Vigen, et al.; Karen Reeves, et al.; Gladys Gathright, et al.; and Valerie Elking, et al., to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Middle District of Florida

TURNER v. BOSTON SCIENTIFIC CORPORATION, ET AL., C.A. No. 6:17-00338

Eastern District of Missouri

TOWESON, ET AL. v. BOSTON SCIENTIFIC CORP., ET AL., C.A. No. 4:17-01427  
VIGEN, ET AL. v. BOSTON SCIENTIFIC CORP., ET AL., C.A. No. 4:17-01431  
REEVES, ET AL. v. BOSTON SCIENTIFIC CORP., ET AL., C.A. No. 4:17-01436

GATHRIGHT, ET AL. v. BOSTON SCIENTIFIC CORP., ET AL.,

C.A. No. 4:17-01437

ELKING, ET AL. v. BOSTON SCIENTIFIC CORP., ET AL., C.A. No. 4:17-01466

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

Oppositions of plaintiffs Meisha Jackson, et al., and Kari Roberts, et al., to transfer of their following actions to the United States District Court for the Southern District of New York:

Eastern District of Missouri

JACKSON, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,

C.A. No. 4:17-01413

ROBERTS, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,

C.A. No. 4:17-01415

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

Motion of defendants Alarm.com Incorporated and Alarm.com Holdings, Inc., to transfer the following action to the United States District Court for the Northern District of West Virginia:

Northern District of California

ABANTE ROOTER AND PLUMBING, INC., ET AL. v. ALARM.COM

INCORPORATED, ET AL., C.A. No. 4:15-06314

MDL No. 2570 – **IN RE: COOK MEDICAL, INC., IVC FILTERS MARKETING, SALES  
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Dara Berman-Cheung, et al., and Perry Jewett, et al., and defendants Rapid City Regional Hospital, Inc.; Brian R. Baxter, M.D.; and Radiology Associates Imaging Group, LLC, to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

Northern District of California

BERMAN-CHEUNG, ET AL. v. COOK GROUP, INC., ET AL., C.A. No. 5:17-02564

District of South Dakota

JEWETT, ET AL. v. BAXTER, M.D., ET AL., C.A. No. 5:17-05036

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

Opposition of plaintiffs Michael's Grain Farm, Inc., et al., to transfer of the following action to the United States District Court for the District of Kansas:

Southern District of Illinois

MICHAEL'S GRAIN FARM, INC., ET AL. v. SYNGENTA AG, ET AL.,  
C.A. No. 3:17-00320

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Nina Babayan; Naomi Green, et al.; William Marshall, et al.; and Brett Alan Dewitt, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Central District of California

BABAYAN v. MCKESSON CORPORATION, ET AL., C.A. No. 2:17-02472

Eastern District of Missouri

GREEN, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 4:17-01403  
MARSHALL, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT LLC, ET AL.,  
C.A. No. 4:17-01540

Eastern District of Virginia

DEWITT v. MOON, ET AL., C.A. No. 3:17-00328



MDL No. 2627 – **IN RE: LUMBER LIQUIDATORS CHINESE-MANUFACTURED FLOORING PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Bryan Gaus, et al., to transfer of the following action to the United States District Court for the Eastern District of Virginia:

Northern District of West Virginia

GAUS, ET AL. v. LUMBER LIQUIDATORS, INC., ET AL., C.A. No. 5:17-00040

MDL No. 2641 – **IN RE: BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Stephanie N. Barton, et al., to transfer of the following action to the United States District Court for the District of Arizona:

Eastern District of Missouri

BARTON, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 4:17-00770

MDL No. 2666 – **IN RE: BAIR HUGGER FORCED AIR WARMING DEVICES PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Robert Washington, et al., to transfer of the following action to the United States District Court for the District of Minnesota:

Eastern District of Missouri

WASHINGTON, ET AL. v. 3M COMPANY, ET AL., C.A. No. 4:17-01340

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Gende Law Office, S.C., to transfer of the following action to the United States District Court for the Northern District of California:

Eastern District of Wisconsin

GENDE LAW OFFICE, S.C. v. VOLKSWAGON GROUP OF AMERICA, INC., ET AL., C.A. No. 2:17-00543

MDL No. 2724 – **IN RE: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION**

Opposition of plaintiffs State of Connecticut, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

District of Connecticut

CONNECTICUT, ET AL. v. AUROBINDO PHARMA USA, INC., ET AL.,  
C.A. No. 3:16-02056

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

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

Northern District of Illinois

BROWN v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-03052  
BENNETT v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-03057  
KNIGHT v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-03059  
ABBEDUTO, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-03061

Eastern District of Missouri

RICE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01224  
MCNICHOLS, ET AL. v. JOHNSON & JOHNSON, INC., ET AL.,  
C.A. No. 4:17-01473  
MCBEE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01496

Southern District of New York

GAVIN v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-03308

District of Rhode Island

BECKER v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00205  
CHANTHAPANYA v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00206  
DERRENBACHER v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00207  
DICARLO v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00208  
DIPALERMO v. JOHNSON & JOHNSON, ET AL., C.A. No.1:17-00209  
DONALDSON v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00210  
DUNBAR v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00211

EWING v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00212  
FEMMINELLA v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00213  
FRANKLIN v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00215  
GUPTILL v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00216  
KINDLEY v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00217  
KLEMETSON v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00219  
MARINACCIO v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00220  
OGLETREE v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00221  
VIENT v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00222  
WHITNEY v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00223

**MDL No. 2741 – IN RE: ROUNDUP PRODUCTS LIABILITY LITIGATION**

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

District of Delaware

FORD v. MONSANTO COMPANY, C.A. No. 1:17-00484  
PLATT v. MONSANTO COMPANY, C.A. No. 1:17-00485  
ROCHMAN v. MONSANTO COMPANY, C.A. No. 1:17-00486  
BRAME v. MONSANTO COMPANY, C.A. No. 1:17-00557

Eastern District of Missouri

TURNER, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01102  
LEWIS, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01103  
WARD, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01104  
COBB, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01105  
HARVEY, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01107  
PARKS, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01108  
MONTAIGNE, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01109  
ROBICHAUD, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01110  
BATES, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01111  
SALVAGGIO, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01113  
FERANEC, ET AL. v. MONSANTO COMPANY, ET AL., C.A. No. 4:17-01116  
O'BRIEN, ET AL. v. MONSANTO COMPANY, C.A. No. 4:17-01192

**MDL No. 2742 – IN RE: SUNEDISON, INC., SECURITIES LITIGATION**

Opposition of plaintiff Paul J. Gaynor to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of California

GAYNOR v. CHATILA, ET AL., C.A. No. 3:16-06305

MDL No. 2750 – **IN RE: INVOKANA (CANAGLIFLOZIN) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Evangelina Aguirre, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Southern District of California

AGUIRRE, ET AL. v. JANSSEN PHARMACEUTICALS, INC., C.A. No. 3:17-00918

MDL No. 2768 – **IN RE: STRYKER LFIT V40 FEMORAL HEAD PRODUCTS LIABILITY LITIGATION**

Oppositions of defendant Howmedica Osteonics Corporation to transfer of the following actions to the United States District Court for the District of Massachusetts:

Southern District of New York

GIDORA v. STRYKER CORP., ET AL., C.A. No. 7:16-05774

Western District of New York

ADELMAN v. STRYKER CORPORATION, ET AL., C.A. No. 1:17-00367

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.

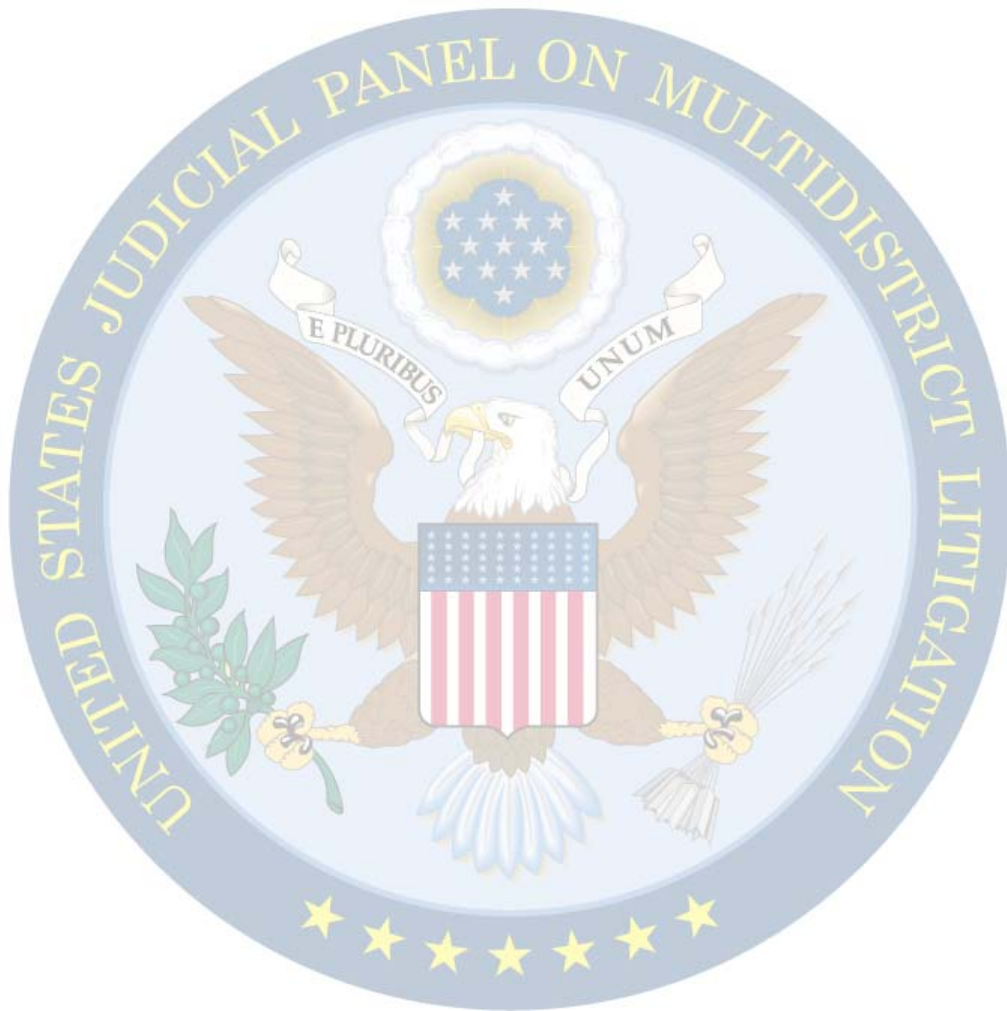
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make 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 to actions 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.

# Hearing Session Order & Amendments



September 28, 2017

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**FIRST AMENDMENT TO THE HEARING SESSION ORDER**  
**AND ATTACHED SCHEDULE FILED AUGUST 9, 2017**

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on August 9, 2017, are amended to include the following additional civil action on Section A of the Schedule for the hearing session on September 28, 2017, in Boston, Massachusetts.

**MDL NO. 2796 - IN RE: GERMAN AUTOMOTIVE MANUFACTURERS**  
**ANTITRUST LITIGATION**

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

District of New Jersey

KAUFMAN, ET AL. v. BMW AG, ET AL., C.A. No. 2:17-05440

FOR THE PANEL:

  
Jeffrey N. Luthi  
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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION:           **September 28, 2017**

LOCATION OF HEARING SESSION:   John Joseph Moakley U.S. Courthouse  
En Banc Courtroom, 7th Floor  
One Courthouse Way  
Boston, Massachusetts 02210-3002

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.




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- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

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 **September 11, 2017**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a long horizontal flourish extending to the right.

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the District of Massachusetts

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 September 28, 2017, the Panel will convene a hearing session in Boston, Massachusetts, 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



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
September 28, 2017 -- Boston, Massachusetts

**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. 2791 – **IN RE: LULAROE, LLC, LEGGINGS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of defendants LuLaRoe, LLC, and LLR, Inc., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

MACK v. LLR, INC., ET AL., C.A. No. 5:17-00853

Northern District of California

DEAN, ET AL. v. LULAROE, LLC, ET AL., C.A. No. 4:17-01579  
HEINICHEN, ET AL. v. LULAROE, LLC, ET AL., C.A. No. 4:17-02880

Northern District of Ohio

GOODWIN v. LLR, INC., C.A. No. 1:17-00931

District of Oregon

DORAN v. LLR, INC., C.A. No. 3:17-00781

MDL No. 2792 – **IN RE: SAMSUNG TOP-LOAD WASHING MACHINE MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of defendants Samsung Electronics America, Inc.; Samsung Electronics Co., Ltd.; Best Buy Co., Inc.; Lowes Home Centers, LLC; and Sears Holdings Corporation to transfer the following actions to the United States District Court for the Western District of Oklahoma:

Central District of California

ALLEN v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:17-03602

MADRID v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:17-00203

Eastern District of California

RAABE v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:17-00946

District of Delaware

LANE v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL., C.A. No. 1:17-00371

Southern District of Florida

COOPER v. SAMSUNG ELECTRONICS AMERICA, INC., C.A. No. 0:17-61022

Northern District of Georgia

KELLAS v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 1:17-01232

Western District of Kentucky

JACOBS v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 3:17-00272

Western District of Louisiana

SORIA v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:17-00195

Western District of Michigan

HINKHOUSE v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:17-00039

District of Minnesota

ANDERSON v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 0:17-01569

District of Nebraska

MULFORD v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 4:17-03017

District of New Jersey

MOORE, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:16-04966

Eastern District of New York

FRAKER v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:17-02353

Southern District of New York

MIKRUT v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 1:17-01525

Middle District of North Carolina

BRADLEY v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 1:17-00171

Western District of Oklahoma

WELLS, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:17-00046

MENZER v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:17-00409

SEWELL v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:17-00434

HANSEN v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 5:17-00513

Eastern District of Pennsylvania

WAGNER v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:16-03623

Western District of Pennsylvania

TROYAN v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:16-01873

District of South Carolina

SANDA, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 6:17-00988

Southern District of Texas

ZAMORA v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 7:17-00154

Western District of Texas

PRONSTROLLER, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC.,  
ET AL., C.A. No. 5:17-00163

**MDL No. 2793 – IN RE: ENHANCED RECOVERY COMPANY, LLC, TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION (NO. III)**

Motion of defendant Enhanced Recovery Company, LLC, to transfer the following  
actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

COOK v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 1:17-02452  
KAYYAL v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 1:17-02718  
HILL v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 1:17-03154

Northern District of Indiana

WEAVER v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 1:17-00177

Southern District of Indiana

MARTIN v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 1:17-00730  
ROBINSON v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 3:16-00225

MDL No. 2794 – **IN RE: BLUE SPIKE, LLC, PATENT LITIGATION**

Motion of plaintiff Blue Spike, LLC, to transfer the following actions to the United States District Court for the Eastern District of Texas:

Central District of California

BLUE SPIKE, LLC v. VERIMATRIX, INC., C.A. No. 2:17-05656  
BLUE SPIKE, LLC v. VIZIO, INC., C.A. No. 8:17-01172

District of Delaware

BLUE SPIKE, LLC v. ROKU, INC., C.A. No. 1:17-00928

Eastern District of Texas

BLUE SPIKE, LLC v. CATERPILLAR, INC., ET AL., C.A. No. 6:16-01361  
BLUE SPIKE, LLC v. JUNIPER NETWORKS, INC., C.A. No. 6:17-00016  
BLUE SPIKE, LLC v. TOSHIBA AMERICA INFORMATION SYSTEMS, INC.,  
ET AL., C.A. No. 6:17-00053  
BLUE SPIKE, LLC v. LEMALL CORP., ET AL., C.A. No. 6:17-00063  
BLUE SPIKE, LLC v. NVIDIA CORPORATION, C.A. No. 6:17-00096  
BLUE SPIKE, LLC v. RAZER USA LTD., C.A. No. 6:17-00099  
BLUE SPIKE, LLC v. SKYSTREAM TECHNOLOGIES, LLC, C.A. No. 6:17-00101  
BLUE SPIKE, LLC v. MARKANY, INC., C.A. No. 6:17-00138  
BLUE SPIKE, LLC v. BARNES & NOBLE, INC., ET AL., C.A. No. 6:17-00175

MDL No. 2795 – **IN RE: CENTURYLINK RESIDENTIAL CUSTOMER BILLING  
DISPUTES LITIGATION**

Motion of defendants CenturyLink, Inc.; CenturyLink Communications, LLC; Embarq Minnesota, Inc.; CenturyLink Public Communications, Inc.; CenturyLink Sales Solutions, Inc.; CenturyTel of Idaho, Inc.; CenturyTel of the Gem State, Inc.; and Embarq Florida, Inc., to transfer the following actions to the United States District Court for the District of Minnesota:

District of Arizona

ALLISON v. CENTURYLINK INCORPORATED, ET AL., C.A. No. 2:17-02162

Central District of California

MCLEOD, ET AL. v. CENTURYLINK, INC., ET AL., C.A. No. 2:17-04504

District of Colorado

CHAVEZ v. CENTURYLINK, INC., ET AL., C.A. No. 1:17-01561

Middle District of Florida

CARRILLO, ET AL. v. CENTURYLINK, INC., ET AL., C.A. No. 6:17-01309

District of Idaho

HANIFEN v. CENTURYLINK, INC., ET AL., C.A. No. 1:17-00267

District of Minnesota

ROMERO, ET AL. v. CENTURYLINK, INC., ET AL., C.A. No. 0:17-02832

District of Nevada

GARTEN v. CENTURYLINK, INC., ET AL., C.A. No. 2:17-01794

District of Oregon

GONSIOR v. CENTURYLINK, INC., C.A. No. 3:17-00963

Western District of Washington

LAWHEAD v. CENTURYLINK, INC., C.A. No. 3:17-05487

**MDL No. 2796 – IN RE: GERMAN AUTOMOTIVE MANUFACTURERS ANTITRUST  
LITIGATION**

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

Northern District of California

BURTON, ET AL. v. BMW AG, ET AL., C.A. No. 3:17-04314

BRISCOE v. BAYERISCHE MOTOREN WERKE AG, ET AL., C.A. No. 4:17-04320

District of New Jersey

BARRERA v. BMW NORTH AMERICA, LLC, ET AL., C.A. No. 2:17-05550



MDL No. 2797 – **IN RE: WELLS FARGO AUTO INSURANCE MARKETING AND  
SALES PRACTICES LITIGATION**

Motion of plaintiff Katherine Jacob to transfer the following actions to the United States District Court for the Southern District of New York:

Northern District of California

HANCOCK v. WELLS FARGO & COMPANY, ET AL., C.A. No. 3:17-04324  
PRESTON v. WELLS FARGO & COMPANY, ET AL., C.A. No. 4:17-04346

Southern District of New York

JACOB v. NATIONAL GENERAL INSURANCE COMPANY, C.A. No. 1:17-05806

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

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

Opposition of plaintiff Danna Morrison to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Eastern District of Tennessee

MORRISON v. BLASINGAME BURCH GARRARD & ASHLEY, P.C.,  
C.A. No. 1:17-00165

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

Oppositions of plaintiffs Brian K. Jones and Mark Miller, et al., to transfer of their respective following actions to the United States District Court for the Southern District of California:

Western District of Missouri

JONES v. MIDLAND CREDIT MANAGEMENT, INC., C.A. No. 4:17-00253

Southern District of West Virginia

MILLER, ET AL. v. MIDLAND CREDIT MANAGEMENT, INC., ET AL.,  
C.A. No. 3:17-03429

MDL No. 2325 – **IN RE: AMERICAN MEDICAL SYSTEMS, INC., PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Maricarmen Velarde De Cordova, et al.; Claudia Gaxiola, et al.; Amy Jones, et al.; and Janet Wolzen, et al., to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Southern District of California

VELARDE DE CORDOVA, ET AL. v. AMERICAN MEDICAL SYSTEMS, INC.,  
ET AL., C.A. No. 3:17-01249

GAXIOLA, ET AL. v. AMERICAN MEDICAL SYSTEMS, INC., ET AL.,  
C.A. No. 3:17-01250  
JONES, ET AL. v. AMERICAN MEDICAL SYSTEMS, INC., ET AL.,  
C.A. No. 3:17-01251  
WOLZEN, ET AL. v. AMERICAN MEDICAL SYSTEMS, INC., ET AL.,  
C.A. No. 3:17-01253

MDL No. 2406 – **IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION**

Oppositions of plaintiffs Bradley A. Chicoine, D.C., et al., and Opelousas General Hospital Authority to transfer of their respective following actions to the United States District Court for the Northern District of Alabama:

Southern District of Iowa

CHICOINE, ET AL. v. WELLMARK, INC., ET AL., C.A. No. 4:17-00210

Western District of Louisiana

OPELOUSAS GENERAL HOSPITAL AUTHORITY v. LOUISIANA HEALTH SERVICE & INDEMNITY CO., ET AL., C.A. No. 6:17-00818

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

Opposition of plaintiff Vincent Lucas to transfer of the following action to the United States District Court for the Northern District of West Virginia:

Southern District of Ohio

LUCAS v. MONITRONICS INTERNATIONAL, INC., ET AL., C.A. No. 1:17-00374

MDL No. 2570 – **IN RE: COOK MEDICAL, INC., IVC FILTERS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Gregory Givney and Phyllis Pleasant to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

Northern District of Texas

GIVNEY v. COOK INCORPORATED, ET AL., C.A. No. 3:17-01432  
PLEASANT v. COOK INCORPORATED, ET AL., C.A. No. 3:17-01498

**MDL No. 2592 – IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

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

Central District of California

HARBOYAN v. JOHNSON AND JOHNSON COMPANY, ET AL.,  
C.A. No. 2:17-05235

Southern District of Illinois

BEROUSSE, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC,  
ET AL., C.A. No. 3:17-00716  
DOUTHIT, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 3:17-00752  
BANDY, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 3:17-00753  
WOODALL, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 3:17-00754  
PIRTLE, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 3:17-00755  
BRAUN, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 3:17-00756  
ROLAND, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 3:17-00757

**MDL No. 2599 – IN RE: TAKATA AIRBAG PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Carlee D. Laster, et al.; Christopher Gorgani; Behrad Aynehchi; and Alexander Pensado to transfer of their respective following actions to the United States District Court for the Southern District of Florida:

Central District of California

LASTER, ET AL. v. CARMAX AUTO SUPERSTORES WEST COAST, INC., ET AL.,  
C.A. No. 2:17-04834  
GORGANI v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:17-04858  
AYNEHCHI v. RIVERSIDE METRO AUTO GROUP, LLC, ET AL.,  
C.A. No. 5:17-01298  
PENSADO v. PAG SANTA ANA AVW, INC., ET AL., C.A. No. 8:17-01131

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Joshua Gunther, et al.; George Rebick, et al.; and Columbia Automotive, LLC, to transfer of their respective following actions to the United States District Court for the Northern District of California:

Southern District of Alabama

GUNTHER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:17-00275

Southern District of California

REBICK, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 3:17-01247

Northern District of Georgia

COLUMBIA AUTOMOTIVE, LLC v. VOLKSWAGEN AG, ET AL.,  
C.A. No. 1:17-02461

MDL No. 2709 – **IN RE: DOLLAR GENERAL CORP. MOTOR OIL MARKETING AND SALES PRACTICES LITIGATION**

Oppositions of Hector H. Balderas to transfer of the following actions to the United States District Court for the Western District of Missouri:

District of New Mexico

DOLLAR GENERAL CORPORATION v. BALDERAS, C.A. No. 1:17-00588  
BALDERAS v. DOLGENCORP LLC, C.A. No. 1:17-00772

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

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

Eastern District of Missouri

RHODE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01554  
GALLARDO, ET AL. v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 4:17-01601  
THOMPSON, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01654  
HOGANS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01842

LEWIS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01847  
AUSTIN, ET AL. v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 4:17-01848  
JINRIGHT, ET AL. v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 4:17-01849  
BUCHEK, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01850  
MOORE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01856  
SCHMITZ, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01860  
YOUNG, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:17-01861

District of Rhode Island

MCCARTY v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-00283

MDL No. 2740 – **IN RE: TAXOTERE (DOCETAXEL) PRODUCTS LIABILITY LITIGATION**

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

District of Delaware

JOHNSON v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:17-00729

MDL No. 2741 – **IN RE: ROUNDUP PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Donald T. Zilmer and Larry G. Curts to transfer of their respective following actions to the United States District Court for the Northern District of California:

District of Delaware

ZILMER v. MONSANTO COMPANY, C.A. No. 1:17-00783  
CURTS v. MONSANTO COMPANY, C.A. No. 1:17-00860

MDL No. 2744 – **IN RE: FCA US LLC MONOSTABLE ELECTRONIC GEARSHIFT LITIGATION**

Opposition of plaintiffs Larry Hammett, et al., to transfer of the following action to the United States District Court for the Eastern District of Michigan:

Northern District of Texas

HAMMETT, ET AL. v. FCA US LLC, C.A. No. 4:17-00578

MDL No. 2754 – **IN RE: ELIQUIS (APIXABAN) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Northern District of California

HALL v. MCKESSON CORPORATION, ET AL., C.A. No. 1:17-03781  
MOORE v. MCKESSON CORPORATION, ET AL., C.A. No. 3:17-03784

District of Delaware

NIESSNER v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00609  
HOLCOMB v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00610  
PETERSON v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00611  
KENNON v. BRISTOL-MEYERS SQUIBB CO., ET AL., C.A. No. 1:17-00612  
YOUNG v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00613  
TRACY v. BRISTOL-MEYERS SQUIBB CO., ET AL., C.A. No. 1:17-00614  
STRICKLIN v. BRISTOL-MEYERS SQUIBB CO., ET AL., C.A. No. 1:17-00615  
WHITE v. BRISTOL-MEYERS SQUIBB CO., ET AL., C.A. No. 1:17-00616  
STETLER v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00617  
SMALL, JR. v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00618  
MUSICK v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00619  
TANKERSLEY v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00620  
KELLEY v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00621  
MURRAY v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00622  
REDDEN v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00623  
BOOTH v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00624  
JACKSON v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00625  
FORTENBURY, ET AL. v. BRISTOL-MYERS SQUIBB CO., ET AL.,  
C.A. No. 1:17-00626  
LOFFREDO v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00627  
EZELL v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00628  
DIAZ, ET AL. v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00629  
DEHN v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00630  
GOMEZ v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00631  
GREEN v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00632  
VELLESES v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00633  
MOTHERSHED v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00634  
MCGRIFF v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00635  
SPANN v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00636  
BAKER v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00637  
HOOSER v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00638  
PARKER v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00639  
MESSER v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00640  
JONES v. BRISTOL-MYERS SQUIBB CO., ET AL., C.A. No. 1:17-00641

KLINKHAMMER v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,

C.A. No. 1:17-00891

KEEBLE v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:17-00892

WAIRE v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 1:17-00901



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 to actions 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.