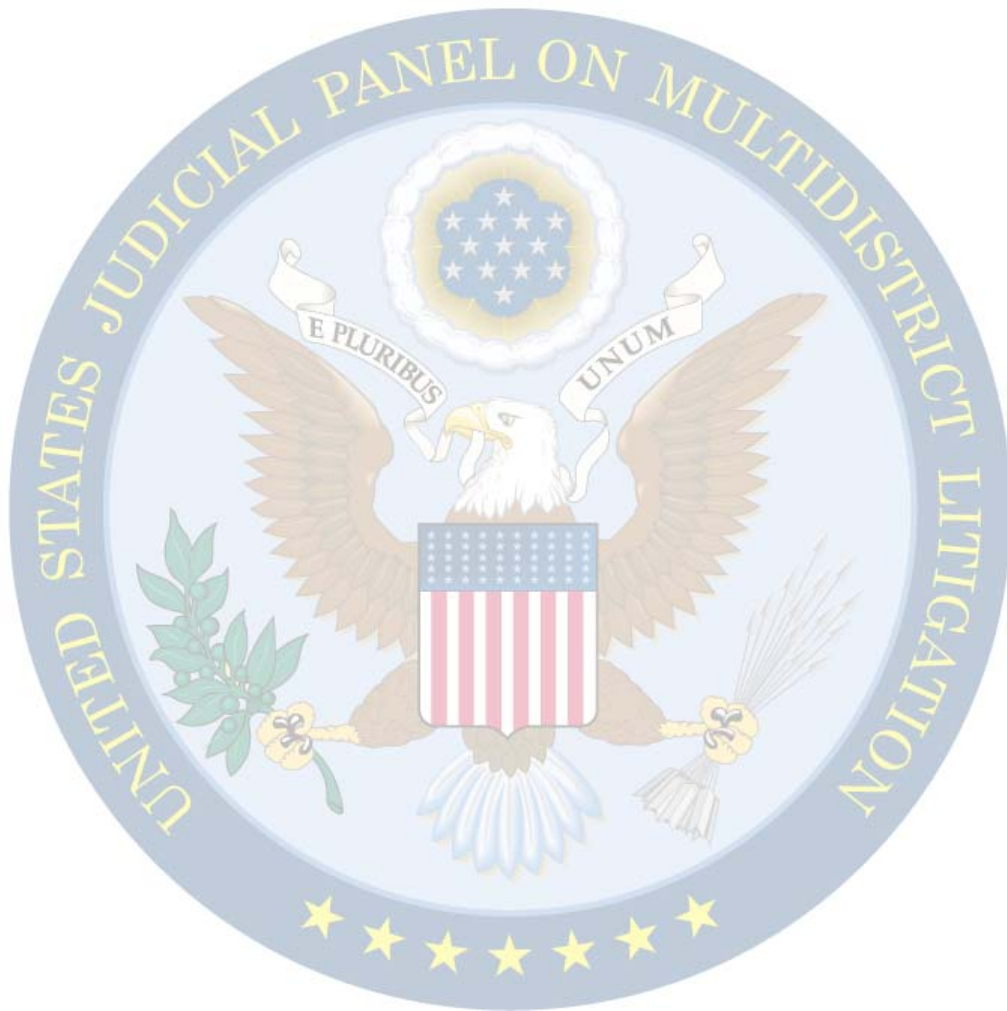


Hearing Session Order & Amendments



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



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

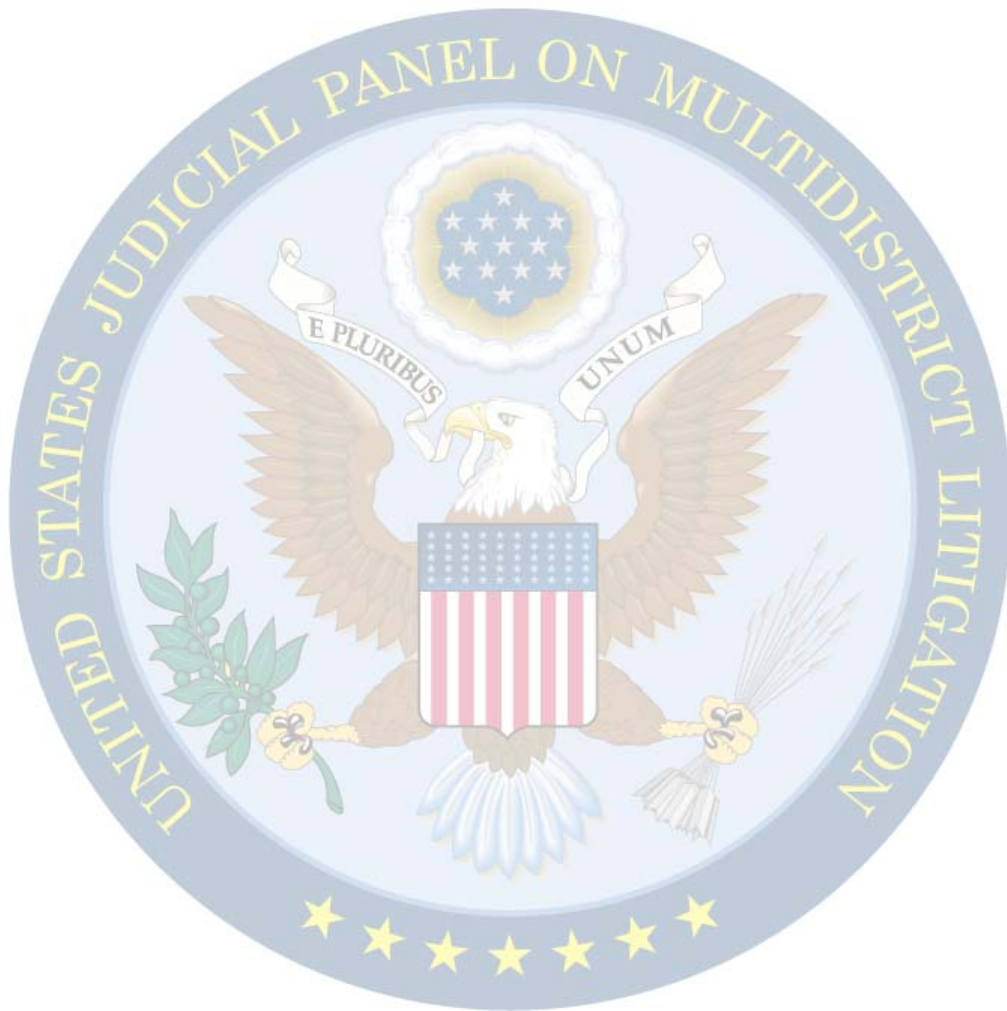
DAVIS v. ASTRAZENECA PHARMACEUTICALS LP, ET AL., C.A. No. 3:16-00686

FOR THE PANEL:

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

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



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-MYERS 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

BLEDSOE, 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.

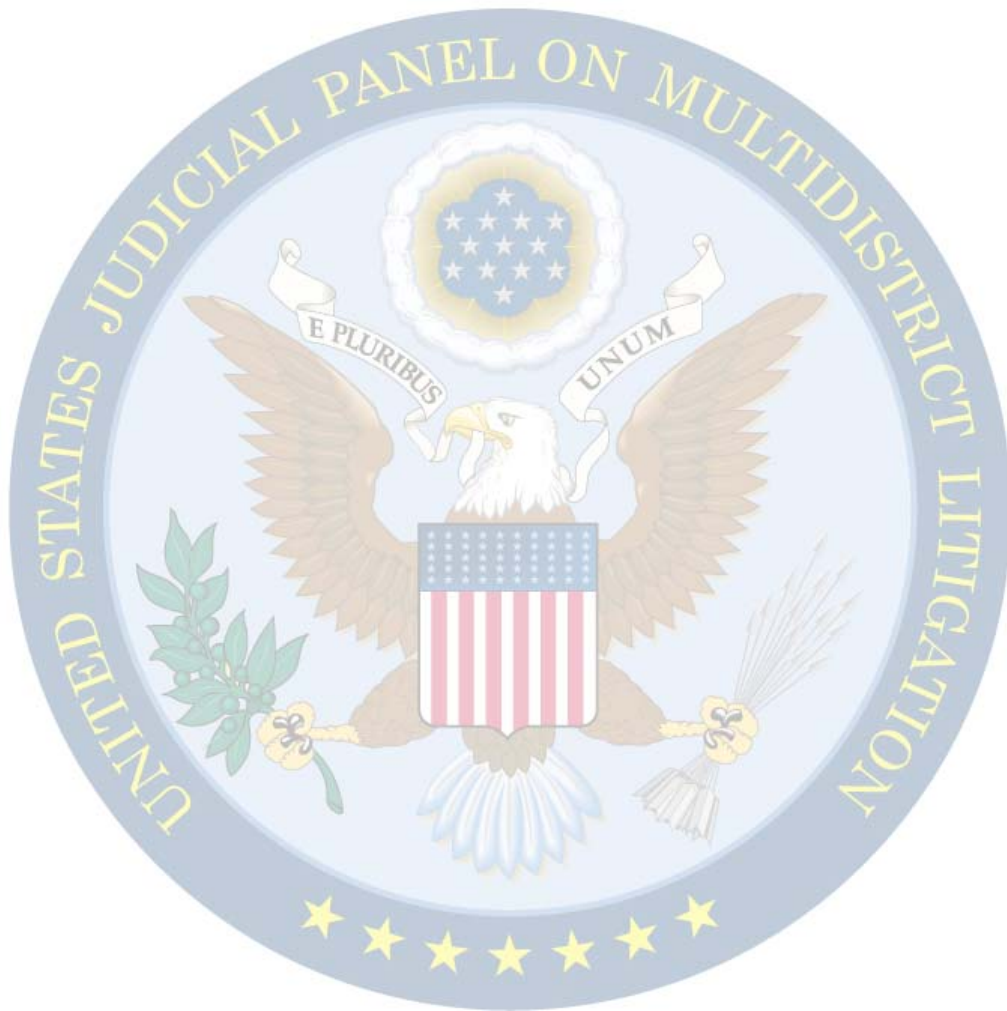
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make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



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.