

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: AREDIA AND ZOMETA PRODUCTS
LIABILITY LITIGATION

MDL No. 1760

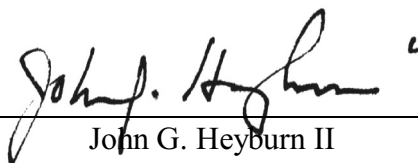
REMAND ORDER

Before the Panel:* Pursuant to Rule 10.2, plaintiff in the action listed on the attached Schedule A moves to vacate our order, entered at the suggestion of the transferee court, conditionally remanding the action from MDL No. 1760 to the Southern District of New York. Defendant Novartis Pharmaceuticals Corporation did not respond to the motion.

The *Cherry* plaintiff's opposition to remand, which was filed on January 2, 2014, rests solely on the argument that remand would be premature until the completion of case-specific fact discovery. The opposition states, however, that such discovery was to be completed by January 27, 2014. Therefore, the motion to vacate is moot.

IT IS THEREFORE ORDERED that pursuant to 28 U.S.C. § 1407, this action is remanded to the Southern District of New York.

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II
Chairman

Charles R. Breyer
Ellen Segal Huvelle

Sarah S. Vance

* Judge Marjorie O. Rendell and Judge Lewis A. Kaplan took no part in the decision of this matter.

**IN RE: AREDIA AND ZOMETA PRODUCTS
LIABILITY LITIGATION**

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SCHEDULE A

Southern District of New York

CHERRY V. NOVARTIS PHARMACEUTICALS CORPORATION, C.A. No. 1:06-06151
(M.D. Tennessee, C.A. No. 3:06-00977)