

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: MI WINDOWS AND DOORS, INC.
PRODUCTS LIABILITY LITIGATION

Jamie Reed, et al. v. MI Windows and Doors, Inc.,)
D. Minnesota, C.A. No. 0:13-00781) MDL No. 2333

TRANSFER ORDER

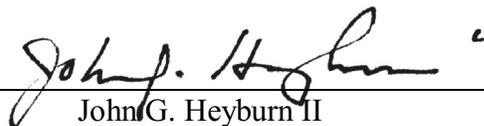
Before the Panel: Pursuant to Panel Rule 7.1, defendant MI Windows and Doors, Inc. (MIWD), moves to vacate our order conditionally transferring this action (*Reed*) to MDL No. 2333. Liaison counsel for the homeowner plaintiffs in MDL No. 2333 opposes the motion.

The actions encompassing MDL No. 2333 involve allegations that various windows manufactured by MIWD contain one or more defects that result in the loss of seal at the bead along the bottom of the glass, allowing water to enter the inside of the window and leak into structures owned by plaintiffs and putative class members. *See In re: MI Windows & Doors, Inc., Prods. Liab. Litig.*, 857 F. Supp. 2d 1374, 1375 (J.P.M.L. 2012).

The Panel has now rejected MIWD's arguments against the creation of MDL No. 2333 as well as its arguments against transfer of nine other actions to MDL No. 2333.¹ In opposing transfer, MIWD merely cites to its arguments previously made and rejected by the Panel. We again do not find these arguments persuasive for reasons previously expressed.

IT IS THEREFORE ORDERED that pursuant to 28 U.S.C. § 1407, this action is transferred to the District of South Carolina and, with the consent of that court, assigned to the Honorable David C. Norton for inclusion in the coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II
Chairman

Kathryn H. Vratil
Marjorie O. Rendell
Lewis A. Kaplan

Paul J. Barbadoro
Charles R. Breyer
Sarah S. Vance

¹ *See id.*; MDL No. 2333, Transfer Order, Aug. 3, 2012; MDL No. 2333, Transfer Order, Oct. 1, 2012; MDL No. 2333, Transfer Order, Feb. 26, 2013; MDL No. 2333, Transfer Order, Apr. 1, 2013.