

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

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

Alex M. Kruger, et al. v. MI Windows and Doors, Inc.,	)	
D. Maryland, C.A. No. 1:13-01325	)	MDL No. 2333
Kerry DeWitt v. MI Windows and Doors, Inc.,	)	
E.D. Pennsylvania, C.A. No. 2:13-03052	)	

**TRANSFER ORDER**

**Before the Panel:**\* Pursuant to Panel Rule 7.1, defendant MI Windows and Doors, Inc. (MIWD), moves to vacate our orders conditionally transferring these actions to MDL No. 2333. Liaison counsel for the homeowner plaintiffs in MDL No. 2333 opposes the motions.

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 rejected MIWD's arguments against the creation of MDL No. 2333 as well as its arguments against transfer of ten other actions to MDL No. 2333.<sup>1</sup> 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, these actions are 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.

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\* Judge Sarah S. Vance did not participate in the disposition of this matter.

<sup>1</sup> *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; MDL No. 2333, Transfer Order, Aug. 6, 2013.

-2-

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink, reading "John G. Heyburn II", is positioned above a horizontal line. The signature is written in a cursive style with a small "II" at the end.

John G. Heyburn II  
Chairman

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

Paul J. Barbadoro  
Charles R. Breyer