

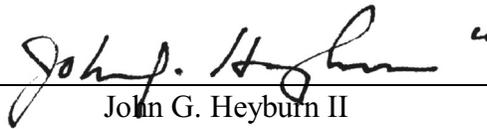


- 2 -

Defendant argues that, because a claims construction hearing recently was held, the litigation is too advanced to support inclusion of *BOKF*. We disagree. A claims construction hearing does not signal the end of pretrial proceedings. Furthermore, the cases in MDL No. 2371 are proceeding on two tracks, and several of the track two cases pending in the MDL are at a similar procedural stage as *BOKF*. This action therefore can proceed with these track two cases.

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

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink, reading "John G. Heyburn II", is written over a horizontal line. The signature is cursive and includes a small mark at the end.

John G. Heyburn II  
Chairman

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

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