

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: GENERAL MOTORS LLC
IGNITION SWITCH LITIGATION**

MDL No. 2543

TRANSFER ORDER

Before the Panel: Plaintiffs in the action listed on Schedule A (*Dunlap*) move under Panel Rule 7.1 to vacate our order conditionally transferring the action to MDL No. 2543. Defendant General Motors LLC (General Motors) opposes the motion to vacate.


After considering the argument of counsel, we find this action involves common questions of fact with the actions transferred to MDL No. 2543, and that transfer under 28 U.S.C. § 1407 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. Like many of the already-centralized actions, *Dunlap* involves factual questions arising from an alleged defect in certain General Motors vehicles that causes the vehicle's ignition switch to move unintentionally from the "run" position to the "accessory" or "off" position. *See In re: General Motors LLC Ignition Switch Litig.*, 26 F. Supp. 3d 1390, 1391 (J.P.M.L. 2014). Plaintiffs do not dispute that their action shares questions of fact with the actions in MDL No. 2543, but they argue that MDL No. 2543 is so far advanced that transfer would not result in the just and efficient conduct of the litigation.

We do not find plaintiffs' claims about the status of proceedings in MDL No. 2543 to be persuasive. A second round of bellwether trials is due to begin in July of this year, and common pretrial proceedings are ongoing, including discovery. Actions continue to be transferred to and filed in this MDL and, in fact, counsel for the *Dunlap* plaintiffs recently filed two actions directly in MDL No. 2543.

IT IS THEREFORE ORDERED that the action listed on Schedule A is transferred to the Southern District of New York and, with the consent of that court, assigned to the Honorable Jesse M. Furman for inclusion in the coordinated or consolidated pretrial proceedings.

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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

**IN RE: GENERAL MOTORS LLC
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SCHEDULE A

Western District of Missouri

DUNLAP, ET AL. v. GENERAL MOTORS LLC, C.A. No. 4:16-01060