

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: ASBESTOS PRODUCTS LIABILITY
LITIGATION (NO. VI)**

Laurie Deuyour, et al. v. BF Goodrich Company, et al.,)
C.D. California, C.A. No. 2:13-02333)

MDL No. 875

TRANSFER ORDER

Before the Panel: Pursuant to Rule 7.1, plaintiffs in this wrongful death action (*Deuyour*) move to vacate our order conditionally transferring the action, currently pending in the Central District of California, to MDL No. 875. Defendant Carrier Corporation opposes the motion.

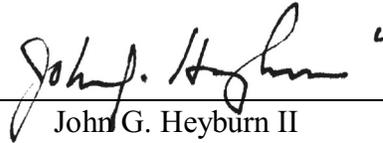
The Panel is no longer transferring newly-filed asbestos actions brought in the Central District of California. However, the *Deuyour* action was placed on a conditional transfer order at the suggestion of the transferee judge, as a related Northern District of California personal injury action brought by the *Deuyour* plaintiffs' decedent prior to his death was previously transferred to, and is still pending in, the MDL. That action and the *Deuyour* action now before us involve essentially the same defendants and assert the same causes of action. Contrary to plaintiffs' contention, the record shows that the action transferred from the Northern District of California remains pending in the MDL.

After considering all argument of counsel, we find that *Deuyour* involves common questions of fact with actions previously transferred to MDL No. 875, and that transfer will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. Moreover, transfer is appropriate for the reasons set out in our original decision directing centralization of all pending federal court actions not then in trial sharing factual questions of injury or death allegedly caused by asbestos or asbestos containing products. *See In re Asbestos Prods. Liab. Litig. (No. VI)*, 771 F. Supp. 415 (J.P.M.L. 1991). The *Deuyour* action is an asbestos wrongful death suit, and clearly falls within the MDL's ambit.

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

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink, appearing to read "John G. Heyburn II", is written above a horizontal line.

John G. Heyburn II
Chairman

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

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