

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **January 31, 2013**

LOCATION OF HEARING SESSION: United States Courthouse
Ceremonial Courtroom 3A
401 West Central Boulevard
Orlando, Florida 32801

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) does not need to appear at the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the hearing session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

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For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **January 14, 2013**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a horizontal line extending to the right.

Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the Middle District of Florida

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on January 31, 2013, the Panel will convene a hearing session in Orlando, Florida, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

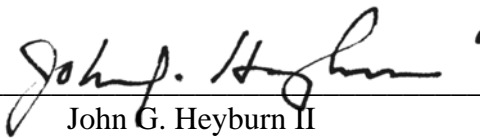
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II
Chairman

Kathryn H. Vratil
Paul J. Barbadoro
Charles R. Breyer

W. Royal Furgeson, Jr.
Marjorie O. Rendell
Lewis A. Kaplan

SCHEDULE OF MATTERS FOR HEARING SESSION
January 31, 2013 -- Orlando, Florida

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT¹

**MDL No. 2418 - IN RE: PLAVIX MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION (NO. II)**

Motion of defendants Bristol-Myers Squibb Company; Sanofi-Aventis U.S. LLC; Sanofi US Services Inc.; and Sanofi-Synthelabo, Inc., to transfer the following actions to a federal district court in New Jersey or New York:

Northern District of California

Sandra L. Kinney, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04477
Bennie Burman, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04478
Wauneta Raynor, et al. v. Bristol-Myers Squibb Company. et al., C.A. No. 3:12-04615
George Robinson, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:1204616
Iris Meeks, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04617
Jack Morgan Olmstead, et al. v. Bristol-Myers Squibb Company, et al.,
C.A. No. 3:12-04619
George Dillard, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04633
Virgil Walden, Jr., et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04641
Damon Kaluza, Sr., et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04642
Vertus Corkerin, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04803
James T. Aiken, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-05208

¹ This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.

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MDL No. 2418 (Continued)

Southern District of Illinois

United States of America, et al. v. Bristol Myers Squibb Company, et al.,
C.A. No. 3:11-00246

Northern District of Iowa

Raymond Snyder, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 5:12-04091

Western District of Louisiana

Rita Touriac, et al. v. Chenevert, et al., C.A. No. 6:12-01785

Northern District of Mississippi

Jim Hood v. Bristol-Myers Squibb Company, et al., C.A. No. 1:12-00179

District of New Jersey

Eloise Labarre v. Bristol-Myers Squibb Company, et al., C.A. No. 3:06-06050
Patricia Begley v. Bristol-Myers Squibb Company, et al., C.A. No. 3:06-06051
Dempsey Eugene Cooper v. Bristol-Myers Squibb Company, et al.,
C.A. No. 3:07-00885
Sharon Mattson v. Bristol-Myers Squibb Company, et al., C.A. No. 3:07-00908
Julie Carr-Davis v. Bristol-Myers Squibb Company, et al., C.A. No. 3:07-01098
Ronald W. Solomon v. Bristol-Myers Squibb Company, et al., C.A. No. 3:07-01102
Gwendolyn Newell v. Bristol-Myers Squibb Company, et al., C.A. No. 3:07-01184
Barbara A. Kennovin v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-05059

Eastern District of New York

Marcella Chesney v. Bristol-Myers Squibb Company, et al., C.A. No. 1:11-03246

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MDL No. 2418 (Continued)

Southern District of New York

Kenneth Petit v. Bristol-Myers Squibb Company, et al., C.A. No. 1:11-05159
Herbert D. Santana v. Bristol-Myers Squibb Company, et al., C.A. No. 1:11-05165
James B. McAleese v. Bristol-Myers Squibb Company, et al., C.A. No. 1:11-05168
James Burrow v. Bristol-Myers Squibb Company, et al., C.A. No. 1:11-05212

Eastern District of Pennsylvania

Judy Brown v. Bristol-Myers Squibb Company, et al., C.A. No. 2:12-00299
Derotha Little v. Bristol-Myers Squibb Company, et al., C.A. No. 2:12-00514

Southern District of West Virginia

Employer Teamsters-Local Nos. 175/505 Health and Welfare Trust Fund, et al. v.
Bristol Myers Squibb Company, et al., C.A. No. 3:12-00587

MDL No. 2419 - **IN RE: NEW ENGLAND COMPOUNDING PHARMACY, INC.,
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Brenda Bansale, et al., to transfer the following actions to the United States District Court for the District of Minnesota:

Eastern District of Michigan

Brenda Bansale, et al. v. New England Compounding Pharmacy, Inc.,
C.A. No. 2:12-14559
Lyn Laperriere, et al. v. New England Compounding Pharmacy, Inc.,
C.A. No. 2:12-14581

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MDL No. 2419 (Continued)

District of Minnesota

Barbe Puro v. New England Compounding Pharmacy, Inc., C.A. No. 0:12-02605
Rosalinda Edwards v. New England Compounding Pharmacy, Inc.,
C.A. No. 0:12-02625

MDL No. 2420 - **IN RE: LITHIUM ION BATTERIES ANTITRUST LITIGATION**

Motion of plaintiff Woodrow Clark II to transfer the following actions to the United States District Court for the District of New Jersey:

Northern District of California

Kevin Young, et al. v. LG Chem, Ltd., et al., C.A. No. 4:12-05129
Brian Hanlon v. LG Chem, Ltd., et al., C.A. No. 4:12-05159
Charles Carte v. Samsung SDI, Co., Ltd., et al., C.A. No. 4:12-05268
Nichole M. Gray v. Samsung SDI Co., Ltd., et al., C.A. No. 4:12-05274

District of New Jersey

Woodrow Clark II v. LG Chem America, Inc., et al., C.A. No. 2:12-06431

MDL No. 2421 - **IN RE: TRAILER COMMUNICATIONS SYSTEM ('091) PATENT LITIGATION**

Motion of plaintiff PINC Solutions, Inc., to transfer the following actions to the United States District Court for the Western District of Wisconsin or, in the alternative, to the United States District Court for the Northern District of California:

Eastern District of California

Mobile Logistics, LLC v. Foster Farms, LLC, C.A. No. 1:12-01264

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MDL No. 2421 (Continued)

Northern District of California

PINC Solutions, Inc. v. Mobile Logistics, LLC, C.A. No. 3:12-05218

District of Delaware

Mobile Logistics, LLC v. Cost Plus, Inc., C.A. No. 1:12-00883

Mobile Logistics LLC V. Kimberly-Clark Corporation, C.A. No. 1:12-00886

Mobile Logistics, LLC v. Kraft Foods Global, Inc., C.A. No. 1:12-00887

Mobile Logistics LLC V. Nestle USA, Inc., C.A. No. 1:12-00889

Mobile Logistics LLC v. Supervalu, Inc., C.A. No. 1:12-00891

Northern District of Illinois

Mobile Logistics, LLC v. DSC Logistics, Inc., C.A. No. 1:12-06098

Southern District of Texas

Mobil Logistics, LLC v. Excel Inc., C.A. No. 4:12-02294

Mobile Logistics, LLC v. Schenker, Inc., C.A. No. 4:12-02301

Western District of Wisconsin

Mobile Logistics, LLC v. LINC Logistics Company, C.A. No. 3:12-00539

**MDL No. 2422 - IN RE: ANHEUSER-BUSCH EMPLOYEE RETIREMENT INCOME
SECURITY ACT (ERISA) LITIGATION**

Motion of plaintiffs Brian Knowlton, et al., to transfer the following actions to the United States District Court for the Southern District of California:

Southern District of California

Brian Knowlton, et al. v. Anheuser-Busch Companies, LLC., et al., C.A. No. 3:12-02459

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MDL No. 2422 (Continued)

Eastern District of Missouri

Nancy J. Anderson v. Anheuser-Busch Companies Pension Plan, et al.,
C.A. No. 4:12-00045

MDL No. 2423 - **IN RE: HENRY L. KLEIN LITIGATION**

Motion of plaintiff Henry L. Klein to transfer the following actions to the United States District Court for the District of District of Columbia:

District of District of Columbia

Henry L. Klein v. American Land Title Association, et al., C.A. No. 1:12-01061

Middle District of Florida

Henry L. Klein v. Fidelity National Title Group, Inc., C.A. No. 3:12-01177

MDL No. 2424 - **IN RE: HYUNDAI AND KIA FUEL ECONOMY LITIGATION**

Motion of plaintiff Gunther Krauth to transfer the following actions to the United States District Court for the Central of District of California:

Middle District of Alabama

Alex Maturani v. Hyundai Motor America, Inc., C.A. No. 2:12-00998

Central District of California

Kehlie R. Espinosa, et al. v. Hyundai Motor America, C.A. No. 2:12-00800
Nicole Marie Hunter, et al. v. Hyundai Motor America, et al., C.A. No. 8:12-01909
Jeremy Wilton v. Kia Motors America, Inc., et al., C.A. No. 8:12-01917
Kaylene P. Brady, et al. v. Hyundai Motor America, et al., C.A. No. 8:12-01930

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MDL No. 2424 (Continued)

Central District of California (Continued)

Gunther Krauth v. Hyundai Motor America, C.A. No. 8:12-01935
Eric Graewingholt, et al. v. Hyundai Motor America, Inc., et al., C.A. No. 8:12-01963
Reece Thomson, et al. v. Hyundai Motor America, et al., C.A. No. 8:12-01981

Northern District of Illinois

Nilufar Rezai v. Hyundai Motor America, C.A. No. 1:12-09124
Jack Rottner v. Hyundai Motor America, C.A. No.1:12-09196

District of New Jersey

Lydia Kievit, et al. v. Hyundai Motor America, C.A. No. 2:12-06999

Southern District of Ohio

Rebecca Sanders, et al. v. Hyundai Motor Company, et al., C.A. No.1:12-00853

MDL No. 2425 - **IN RE: DAVID KISSI, ET AL., LITIGATION (NO. III)**

Motion of David Kissi to transfer the following actions to the United States District Court for the Central of District of California:

District of District of Columbia

David Kissi v. U.S. Department of Justice, C.A. No. 1:12-01515
David Kissi v. Mayor and City Council of Baltimore City, et al., C.A. No. 1:12-01691

District of Maryland

Bank of America, N.A., et al. v. David Kissi, et al., C.A. No. 8:12-03266

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**MDL No. 2426 - IN RE: TRS RECOVERY SERVICES, INC., AND TELECHECK
SERVICES, INC., FAIR DEBT COLLECTION PRACTICES ACT
(FDCPA) LITIGATION**

Motion of plaintiffs Sylvia Greer, DellaRina M. Stout, Jean LaRocque, Joann Bucko, and Jamie Cook to transfer the following actions to the United States District Court for the District of Maine:

Central District of California

Sylvia Greer v. TRS Recovery Services, Inc., et al., C.A. No. 2:12-07414

District of Kansas

DellaRina M. Stout v. TRS Recovery Services, Inc., et al., C.A. No. 2:12-02561

District of Maine

Jean LaRocque v. TRS Recovery Services, Inc., et al., C.A. No. 2:11-00091

Southern District of New York

Joann Bucko v. TRS Recovery Services, Inc., et al., C.A. No. 1:12-06607

Middle District of North Carolina

Jamie Cook v. TRS Recovery Services, Inc., et al., C.A. No. 1:12-00999

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**MDL No. 2427 - IN RE: TRANS UNION LLC FAIR CREDIT REPORTING ACT (FCRA)
LITIGATION**

Motion of defendant Trans Union, LLC to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of California

Sergio L. Ramirez v. Trans Union, LLC, C.A. No. 3:12-00632
Brian Douglas Larson v. Trans Union, LLC, C.A. No. 3:12-05726

Middle District of Pennsylvania

Ronald J. Miller v. Trans Union, LLC, C.A. No. 3:12-01715

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SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 875 - IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)

Opposition of plaintiffs Billy David Harris, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Western District of North Carolina

Billy David Harris, et al. v. Ajax Boiler, Inc., et al., C.A. No. 1:12-00311

Opposition of defendants BASF Corporation; Exxon Mobil Corporation; Georgia-Pacific LLC; and Texaco, Inc., f/k/a The Texas Company to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for Middle District of Louisiana:

Eastern District of Pennsylvania

Joseph A. Ardoin, Jr. v. DSM Copolymer, Inc., et al., C.A. No. 2:10-68064
(M.D. Louisiana, C.A. No. 3:10-00164)

MDL No. 1479 - IN RE: NEURONTIN ANTITRUST LITIGATION

Opposition of plaintiffs Travelers Indemnity Company, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

District of Connecticut

Travelers Indemnity Company, et al. v. Pfizer, Inc., et al., C.A. No. 3:12-01059

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**MDL No. 1916 - IN RE: CHIQUITA BRANDS INTERNATIONAL, INC., ALIEN TORT
STATUTE AND SHAREHOLDERS DERIVATIVE LITIGATION**

Opposition of plaintiffs Does 1-98, et al., to transfer of the following action to the United States District Court for the Southern District of Florida:

District of District of Columbia

Does 1-98, et al. v. Bois Schiller & Flexner LLP, et al., C.A. No. 1:12-01855

MDL No. 1943 - IN RE: LEVAQUIN PRODUCTS LIABILITY LITIGATION

Opposition of plaintiffs Cleo Flauta, et al., to transfer of the following action to the United States District Court for the District of Minnesota:

Central District of California

Cleo Flauta, et al. v. Johnson and Johnson, et al., C.A. No. 2:12-09095

**MDL No. 2032 - IN RE: CHASE BANK USA, N.A., "CHECK LOAN" CONTRACT
LITIGATION**

Motion of defendants Chase Bank USA, N.A., and James Dimon to transfer the following action to the United States District Court for the Northern District of California:

Eastern District of Michigan

Robert F. Ponte v. Chase Bank USA, N.A., et al., C.A. No. 2:12-13901

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**MDL No. 2151 - IN RE: TOYOTA MOTOR CORP. UNINTENDED ACCELERATION
MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY
LITIGATION**

Oppositions of defendants Auto Butler, Inc.; KW Real Estate/Akron Co., LLC; and Friedkin Companies, Inc., to transfer of the following action to the United States District Court for the Central District of California:

Northern District of Ohio

Quaid McIver v. KW Real Estate/Akron Co., LLC, et al., C.A. No. 5:12-01175

**MDL No. 2158 - IN RE: ZIMMER DUROM HIP CUP PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs Albert W. Block, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Western District of Louisiana

Albert W. Block, et al. v. Depuy Orthopaedics, Inc., et al., C.A. No. 3:11-02048

**MDL No. 2197 - IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

**MDL No. 2391 - IN RE: BIOMET M2A MAGNUM HIP IMPLANT PRODUCTS
LIABILITY LITIGATION**

Opposition of plaintiff Denny E. Martin to MDL No. 2197 Conditional Transfer Order (CTO-155) with Separation and Remand and MDL No. 2391 Conditional Transfer Order (CTO-2) with respect to:

Southern District of California

Denny E. Martin v. Depuy Orthopaedics, Inc., et al., C.A. No. 3:12-02292

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**MDL No. 2197 - IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Renee Stratos; Lawrence Hammers; Linda Jacobs, et al.; Susan T. Israel; Jimmy King; Teresa S. Murphy-Pittman; and Sue Dunn to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Middle District of Florida

Renee Stratos v. Bayside Orthopaedics, Inc., et al., C.A. No. 8:12-02137
Lawrence Hammers v. Bayside Orthopaedics, Inc., et al., C.A. No. 8:12-02553

Northern District of Illinois

Linda Jacobs, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 1:12-07764

District of Maryland

Susan T. Israel v. Johnson & Johnson, Inc., et al., C.A. No. 1:12-02953

District of Oregon

Jimmy King v. Jacob Rule, et al., C.A. No. 3:12-01731

District of South Carolina

Teresa S. Murphy-Pittman v. DePuy Orthopaedics, Inc., et al., C.A. No. 3:12-03179

Northern District of Texas

Sue Dunn v. DePuy Orthopaedics, Inc., et al., C.A. No. 4:12-00724

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MDL No. 2234 - IN RE: WAL-MART ATM FEE NOTICE LITIGATION

Opposition of plaintiff Shawn Traylor to transfer of the following action to the United States District Court for the Western District of Tennessee:

District of Connecticut

Shawn Traylor v. Cash Depot LLC, et al., C.A. No. 3:12-01167

MDL No. 2270 - IN RE: CERTAINTEED FIBER CEMENT SIDING LITIGATION

Opposition of plaintiffs Michael Sherman, et al.; Lethaniel Saunders, et al.; and Chester Tai, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Western District of North Carolina

Michael Sherman, et al. v. CertainTeed Corporation, et al., C.A. No. 3:12-00614
Lethaniel Saunders, et al. v. CertainTeed Corporation, et al., C.A. No. 3:12-00615
Chester Tai, et al. v. CertainTeed Corporation, et al., C.A. No. 3:12-00616

**MDL No. 2284 - IN RE: IMPRELIS HERBICIDE MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Millie Lemajich to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Wisconsin

Millie Lemajich v. E.I. du Pont de Nemours and Company, C.A. No. 2:12-01009

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MDL No. 2284 (Continued)

Motion of plaintiffs James G. Bordas, Jr., et al., for remand, pursuant to 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Northern District of West Virginia:

Eastern District of Pennsylvania

James G. Bordas, Jr., et al. v. E.I. Du Pont de Nemours & Co. et al.,
C.A. No. 2:12-06446 (N.D. West Virginia, C.A. No. 5:12-00164)

**MDL No. 2290 - IN RE: JPMORGAN CHASE MORTGAGE MODIFICATION
LITIGATION**

Opposition of defendants JPMorgan Chase Bank, N.A., and JPMorgan Chase & Co., to transfer of the following action to the United States District Court for the District of Massachusetts:

District of Arizona

Gary F. Lowry, et al. v. JPMorgan Chase Bank, N.A., et al., C.A. No. 3:11-08177

**MDL No. 2323 - IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION**

Oppositions of plaintiffs Curtis McClinton, Jr., and William H. Mathis, Jr., et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Western District of Missouri

Curtis McClinton, Jr. v. National Football League, et al., C.A. No. 4:12-01275

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MDL No. 2323 (Continued)

Southern District of New York

William H. Mathis, Jr., et al. v. The National Football League, et al.,
C.A. No. 1:12-08284

MDL No. 2325 - **IN RE: AMERICAN MEDICAL SYSTEMS, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Bertha Wages, et al., to transfer of the following action to the
United States District Court for the Southern District of West Virginia:

Western District of Arkansas

Bertha Wages, et al. v. Johnson Regional Medical Center, et al., C.A. No. 2:12-02258

MDL No. 2326 - **IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Barbara Sue Williams to transfer of the following action to the
United States District Court for the Southern District of West Virginia:

Eastern District of Arkansas

Barbara Sue Williams v. Baptist Health, et al., C.A. No. 4:12-00683

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**MDL No. 2327 - IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiffs Velma Gunn, et al.; Freda R. Shepherd; Loraine Williams; and Kelly Strantz, et al., and defendant St. Vincent Infirmiry Medical Center to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Eastern District of Arkansas

Velma Gunn, et al. v. St. Vincent Infirmiry Medical Center, et al., C.A. No. 4:12-00661
Freda R. Shepherd v. Baptist Health, et al., C.A. No. 4:12-00662

Eastern District of Kentucky

Loraine Williams v. Altman, McGuire, McClellan & Crum, P.S.C., et al.,
C.A. No. 7:12-00131

Eastern District of Missouri

Kelly Strantz, et al. v. Johnson & Johnson, Inc., et al., C.A. No. 4:12-02099

**MDL No. 2333 - IN RE: MI WINDOWS AND DOORS, INC., PRODUCTS LIABILITY
LITIGATION**

Opposition of defendant MI Windows and Doors, Inc., to transfer of the following action to the United States District Court for the District of South Carolina:

District of New Jersey

Stevenson T. Womack v. MI Windows and Doors, Inc., C.A. No. 1:12-06279

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**MDL No. 2391 - IN RE: BIOMET M2A MAGNUM HIP IMPLANT PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiffs Rochelle Millman, et al., and Mary Ziegler to transfer of their respective following actions to the United States District Court for the Northern District of Indiana:

Northern District of Illinois

Rochelle Millman, et al. v. Biomet, Inc., et al., C.A. No. 1:12-02198

District of Montana

Mary Ziegler v. Biomet Orthopedics, et al., C.A. No. 2:12-00079

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned “Reasons Why Oral Argument Should [Need Not] Be Heard” and shall be limited to 2 pages.

- (i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

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(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.