

**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: **March 21, 2013**

LOCATION OF HEARING SESSION: United States Courthouse Annex
Courtroom 15B
333 West Broadway
San Diego, California 92101

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 **March 4, 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 long horizontal flourish extending to the right.

Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the Southern District of California

**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 March 21, 2013, the Panel will convene a hearing session in San Diego, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

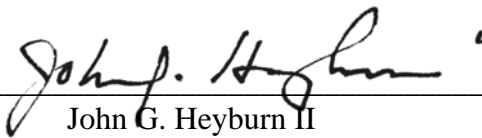
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

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
March 21, 2013 -- San Diego, California

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT¹

MDL No. 2428 - **IN RE: FRESENIUS GRANUFLO/NATURALYTE DIALYSATE
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Patricia Jones, etc., and Dwaine Haerinck, etc., to transfer the following actions to the United States District Court for the District of Massachusetts:

Southern District of Florida

Gloria Washington Smith, etc. v. Fresenius USA, Inc., et al., C.A. No. 1:12-23634

Middle District of Georgia

Melissa Mott Harvey, etc. v. Fresenius Medical Care Holdings Inc., et al.,
C.A. No. 4:12-00328

Northern District of Georgia

Antonio McCollum, et al. v. Fresenius Medical Care Holdings, Inc., et al.,
C.A. No. 1:12-04158

Southern District of Georgia

Waddell Bishop, etc. v. Fresenius USA, Inc., et al., C.A. No. 6:12-00086

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. 2428 (Continued)

District of Massachusetts

Patricia Jones, et al. v. Fresenius Medical Care North America Inc., et al.,
C.A. No. 1:12-12022
Edward W. Johnson, etc. v. Fresenius Medical Care North America, Inc., et al.,
C.A. No. 1:12-12295
Stephanie Boone v. Fresenius Medical Care North America, Inc., et al.,
C.A. No. 1:12-12296
Clarence Lee Dubose, Jr., etc. v. Fresenius Medical Care North America, Inc., et al.,
C.A. No. 1:12-12306

Eastern District of New York

Carmen Campbell, et al. v. Fresenius Medical Care Holdings, Inc., et al.,
C.A. No. 1:12-05586
Elizabeth Kirk, et al. v. Fresenius Medical Care Holding, Inc., et al.,
C.A. No. 1:12-05981

Southern District of Ohio

Deborah Swigert, et al. v. Fresenius USA, Inc., et al., C.A. No. 2:12-01046

MDL No. 2429 - **IN RE: AUTOMATED TRANSACTIONS LLC PATENT LITIGATION**

Motion of defendants Northfield Savings Bank, Mascoma Savings Bank, and Southbridge Savings Bank and Green Valley Bancorp, MHC, to transfer the following actions to the United States District Court for the District of Delaware:

District of Delaware

Automated Transactions LLC v. IYG Holding Co., et al., C.A. No. 1:06-00043
Automated Transactions LLC v. IYG Holding Co., et al., C.A. No. 1:10-00691
Trustco Bank v. Automated Transactions LLC, C.A. No. 1:12-00613

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MDL No. 2429 (Continued)

District of Massachusetts

Automated Transactions LLC v. Southbridge Savings Bank, et al., C.A. No. 4:12-12194

District of New Hampshire

Automated Transactions LLC v. Mascoma Savings Bank Laplante, C.A. No. 1:12-00355

District of Vermont

Automated Transactions LLC v. Northfield Savings Bank, C.A. No. 2:12-00210

Automated Transactions LLC v. New England Federal Credit Union,
C.A. No. 2:12-00269

Automated Transactions LLC v. Heritage Family Credit Union, C.A. No. 2:12-00270

MDL No. 2430 - **IN RE: GOOGLE INC. GMAIL LITIGATION**

Motion of defendant Google Inc., to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

Keith Dunbar v. Google, Inc., C.A. No. 5:12-03305

Brad Scott, et al. v. Google, Inc., C.A. No. 5:12-03413

Northern District of Florida

Brent Matthew Scott v. Google, Inc., C.A. No. 4:12-00614

Southern District of Illinois

A.K. v. Google, Inc., C.A. No. 3:12-01179

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MDL No. 2430 (Continued)

District of Maryland

Matthew C. Knowles v. Google, Inc., C.A. No. 1:12-02022

Eastern District of Pennsylvania

Kristen Brinkman v. Google, Inc., C.A. No. 2:12-06699

MDL No. 2431 - **IN RE: AMERICAN HOME REALTY NETWORK, INC., MULTIPLE LISTING SERVICE COPYRIGHT INFRINGEMENT LITIGATION**

Motion of defendant American Home Realty Network, Inc., to transfer the following actions to the United States District Court for the Northern District of California:

District of Maryland

Metropolitan Regional Information Systems, Inc. v. American Home Realty Network, Inc., et al., C.A. No. 8:12-00954

District of Minnesota

Regional Multiple Listing Service of Minnesota, Inc. v. American Home Realty Network, Inc., C.A. No. 0:12-00965

MDL No. 2432 - **IN RE: NEUROGRAFIX ('360) PATENT LITIGATION**

Motion of defendant Philips Electronics North America Corporation d/b/a Philips Medical Systems North America to transfer the following actions to the United States District Court for the Central District of California:

District of Colorado

NeuroGrafix, et al. v. Medtronic Navigation, Inc., et al., C.A. No. 1:12-02977

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MDL No. 2432 (Continued)

United States Court of Federal Claims

NeuroGrafix, et al. v. United States, C.A. No. 1:12-00385

Northern District of Illinois

NeuroGrafix, et al. v. The University of Chicago Medical Center, et al.,
C.A. No. 1:12-06068
NeuroGrafix, et al. v. Brainlab, Inc., et al., C.A. No. 1:12-06075

District of Maryland

NeuroGrafix, et al. v. The Johns Hopkins University, et al., C.A. No. 1:12-02181

District of Massachusetts

NeuroGrafix, et al. v. Philips Electronics North America Corporation, et al.,
C.A. No. 1:12-11065
NeuroGrafix, et al. v. Beth Israel Deaconess Medical Center, Inc., et al.,
C.A. No. 1:12-11274
NeuroGrafix, et al. v. Brigham and Womens Hospital, Inc., et al., C.A. No. 1:12-11275
NeuroGrafix, et al. v. Trustees of Boston University, et al., C.A. No. 1:12-11276
NeuroGrafix, et al. v. Trustees of Tufts College, et al., C.A. No. 1:12-11277

Southern District of New York

Neurography Institute Medical Associates, Inc. et al. v. Cornell University, et al.,
C.A. No. 1:12-08022
Neurography Institute Medical Associates, Inc., et al. v. The Trustees of Columbia
University in the City of New York, C.A. No. 1:12-08023

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**MDL No. 2433 - IN RE: E. I. DUPONT DE NEMOURS AND COMPANY C-8 PERSONAL
INJURY LITIGATION**

Motion of defendant E. I. du Pont de Nemours and Company to transfer the following actions to the United States District Court for the Southern District of Ohio or, in the alternative, to the United States District Court for the Southern District of West Virginia:

Southern District of Ohio

Thomas Yakubik v. E. I. DuPont De Nemours and Company, C.A. No. 2:12-00815
John Borman v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01180
Betty Bragg v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01181
Lotie Cline v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01182
Elmer A. Crites v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01183
Linda Davis v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01184
Crystal Forshey v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01185
Melinda Gibson v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01186
Vicky Lightfritz v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01187
Willard Lightfritz v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01188
Kathi Lowe v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01189
Kit McPeek-Stalnaker v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01190
Thomas Eugene Molden v. E. I. du Pont de Nemours and Company,
C.A. No. 2:12-01191
Jack Offenberger v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01192
Terry Pugh v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01193
Kay Sheridan v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01194
Herbert Short v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01195
John Wright v. E. I. du Pont de Nemours and Company, C.A. No. 2:12-01196
Amber Wriston v. E. I. du Pont de Nemours and Company, C.A. No. 2:13-00002

Southern District of West Virginia

Summer Mitchell v. E. I. du Pont de Nemours and Company, C.A. No. 3:12-09572
Thomas Deryl Northup v. E. I. du Pont de Nemours and Company, C.A. No. 3:12-09574
Kathy Selby v. E. I. du Pont de Nemours and Company, C.A. No. 3:12-09576
Mary Harper v. E. I. du Pont de Nemours and Company, C.A. No. 3:12-09577
Virginia Morrison, et al. v. E. I. du Pont de Nemours and Company, C.A. No. 6:12-07053
Scott Blackwell v. E. I. du Pont de Nemours and Company, C.A. No. 6:12-07054
Sandra Tennant v. E. I. du Pont de Nemours and Company, C.A. No. 6:12-07055

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MDL No. 2434 - IN RE: MIRENA IUD PRODUCTS LIABILITY LITIGATION

Motion of plaintiffs Stephanie Barnett, et al., to transfer the following actions to the United States District Court for the Northern District of Ohio:

Eastern District of Arkansas

Susan Harp v. Bayer Healthcare Pharmaceuticals, Inc., C.A. No. 4:13-00004

Southern District of California

Melody Williams, et al. v. Bayer Healthcare Pharmaceuticals, Inc., C.A. No. 3:12-02669

Middle District of Georgia

Carrie Richards Osborne, et al. v. Bayer Corporation, et al., C.A. No. 5:11-00421

Western District of Kentucky

Kara Sweet, et al. v. Bayer Healthcare Pharmaceuticals, Inc., C.A. No. 3:12-00839

Northern District of Ohio

Stephanie Barnett, et al. v. Bayer Healthcare Pharmaceuticals, Inc.,
C.A. No. 1:12-02780

Southern District of Ohio

Desaree Johnson v. Bayer Healthcare Pharmaceuticals, Inc., C.A. No. 1:12-00852

District of South Carolina

Kelli Baugh, et al. v. Bayer Corporation, et al., C.A. No. 4:11-00525

Southern District of Texas

Siria Gonzalez v. Bayer Healthcare Pharmaceuticals, Inc., et al., C.A. No. 4:12-01412

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**MDL No. 2435 - IN RE: AVON ANTI-AGING SKINCARE CREAM MARKETING AND
SALES PRACTICES LITIGATION**

Motion of plaintiff Jade Barrett to transfer the following actions to the United States
District Court for the Southern District of New York:

Central District of California

IN RE: Avon Anti-Aging Skincare Creams and Products Marketing and Sales Practices
Litigation, C.A. No. 2:12-09084

Southern District of New York

Jade Barrett v. Avon Products, Inc., C.A. No. 1:13-00150

**MDL No. 2436 - IN RE: TYLENOL (ACETAMINOPHEN) MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Lucky Pettersen; Sharyn Skursha, et al.; Marilyn Patricia
Seabochblake; Laura Ann Becker; Linda Jean Davidson; Hope Fleischer, et al.; Phillip Pewitt;
Augustina Jimenez, et al.; Madeline Speal; Lisa Barney; Alseisha Osborne; Betty Barnes; Lori
Sears; Jason E. Snyder; Angela Altimus; Kaitlyn Allen; Herbert S. Why; Maria Guadagno;
Jordan Rutkowski; Rana Terry; and Petru Abel Ursoi to transfer the following actions to the
United States District Court for the Eastern District of Pennsylvania:

Eastern District of California

Theresa Oliver, et al. v. McNeil-PPC, Inc., et al., C.A. No. 1:12-01865

Middle District of Florida

Charlotte Lee Thompson v. McNeil-PPC, Inc., et al., C.A. No. 3:12-00611

Southern District of Florida

Sandra Rudd, et al. v. McNeil-PPC, Inc., et al., C.A. No. 2:12-14307

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MDL No. 2436 (Continued)

District of Massachusetts

Kayleigh Sechi v. McNeil-PPC, Inc., et al., C.A. No. 3:12-12195

Southern District of Mississippi

Tommie J. Coleman v. McNeil-PPC, Inc., et al., C.A. No. 3:12-00591

District of New Jersey

Lilowtie Hardine v. McNeil-PPC, Inc., C.A. No. 2:12-05038

Eastern District of New York

Cathleen Murphy v. McNeil Consumer & Specialty Pharmaceuticals, et al.,
C.A. No. 2:10-05967

Eastern District of Pennsylvania

Lucky Pettersen v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05988
Sharyn Skursha, et al. v. McNeil-PCC, Inc., et al., C.A. No. 2:12-05989
Marilyn Patricia Seabochblake v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05990
Laura Ann Becker v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05991
Linda Jean Davidson v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05992
Hope Fleischer, et al. v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05993
Phillip Pewitt v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05994
Augustina Jimenez, et al. v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05996
Madeline Speal v. McNeil-PPC, Inc., et al., C.A. No. 2:12-05997
Lia Barney v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07253
Alseisha Osborne v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07254
Betty Barnes v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07255
Lori Sears v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07256
Jason E. Snyder v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07257
Angela Altimus v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07258
Kaitlyn Allen v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07259

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MDL No. 2436 (Continued)

Eastern District of Pennsylvania (Continued)

Herbert S. Why v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07260
Maria Guadagno v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07261
Jordan Rutkowski v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07262
Rana Terry v. McNeil-PPC, Inc., et al., C.A. No. 2:12-07263
Petru Abel Ursoi v. McNeil-PPC, Inc., et al., C.A. No. 5:12-05995

MDL No. 2437 - **IN RE: DOMESTIC DRYWALL ANTITRUST LITIGATION**

Motion, as amended, of plaintiff Caceres Drywall Corporation to transfer the following actions to the United States District Court for the Western District of North Carolina:

Western District of North Carolina

Caceres Drywall Corporation v. National Gypsum Company, et al., C.A. No. 3:13-00031
Jerry R. Berkous v. National Gypsum Company, et al., C.A. No. 3:13-00035

Eastern District of Pennsylvania

Janicki Drywall, Inc. v. CertainTeed Corp., et al., C.A. No. 2:12-07106
New Deal Lumber & Millwork Co., Inc. v. USG Corporation, et al., C.A. No. 2:12-07161
Sierra Drywall Systems, Inc. v. CertainTeed Corp., et al., C.A. No. 2:13-00020
Grubb Lumber Company, Inc. v. USG Corporation, et al., C.A. No. 2:13-00249

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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 David L. Luna, Sr.; Susan Roberts; and Jane Moss to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Illinois

David L. Luna, Sr. v. CBS Corporation, et al., C.A. No. 1:12-09515
Susan Roberts v. A.W. Chesterton Company, et al., C.A. No. 3:12-50429

Western District of Wisconsin

Jane Moss v. CBS Corporation, et al., C.A. No. 3:13-00042

**MDL No. 1932 - IN RE: FAMILY DOLLAR STORES, INC., WAGE AND HOUR
EMPLOYMENT PRACTICES LITIGATION**

Motion of defendants Family Dollar Stores Inc., and Family Dollar Stores of West Virginia, Inc., to transfer the following action to the United States District Court for the Western District of North Carolina:

Southern District of West Virginia

Stephen Brock v. Family Dollar Stores of West Virginia, Inc., C.A. No. 2:12-09126

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MDL No. 1964 - IN RE: NUVARING PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs Beatrice Burgueno, et al.; Catalina Chinchilla, et al.; Porshe Smith, et al.; Elizabeth Vasquez, et al.; Judy Hackett, et al.; Mirna Gonzalez, et al.; Aimee Axelrod, et al.; and Angelica Canales, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Missouri:

Central District of California

Beatrice Burgueno, et al. v. Organon USA, Inc., et al., C.A. No. 2:12-10883
Catalina Chinchilla, et al. v. Organon USA, Inc., et al., C.A. No. 2:13-00039
Porshe Smith, et al. v. Organon USA, Inc., et al., C.A. No. 2:13-00130
Elizabeth Vasquez, et al. v. Organon USA, Inc., et al., C.A. No. 5:13-00055
Judy Hackett, et al. v. Organon USA, Inc., et al., C.A. No. 5:13-00077

Northern District of California

Mirna Gonzalez, et al. v. Organon USA, Inc., et al., C.A. No. 4:12-06161
Aimee Axelrod, et al. v. Organon USA, Inc., et al., C.A. No. 4:13-00117

Southern District of California

Angelica Canales, et al. v. Organon USA, Inc., et al., C.A. No. 3:13-00078

**MDL No. 2047 - IN RE: CHINESE-MANUFACTURED DRYWALL PRODUCTS
LIABILITY LITIGATION**

Motion of defendants Lennar Homes, LLC, and U.S. Home Corporation to transfer the following action to the United States District Court for the Eastern District of Louisiana:

Southern District of Florida

Amerisure Insurance Company, et al. v. All County Drywall Service, Inc., et al.,
C.A. No. 1:12-24454

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**MDL No. 2093 - IN RE: DIRECTV, INC., EARLY CANCELLATION FEE MARKETING
AND SALES PRACTICES LITIGATION**

Opposition of plaintiff Jo Murray to transfer of the following action to the United States
District Court for the Central District of California:

Western District of Arkansas

Jo Murray v. Directv, Inc., C.A. No. 4:12-04156

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

Motion of plaintiff Lori A. Miles to transfer the following action to the United States
District Court for the Central District of California:

Western District of Missouri

Lori A. Miles v. Toyota Motor Sales, U.S.A., Inc., et al., C.A. No. 4:12-01464

**MDL No. 2179 - IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN
THE GULF OF MEXICO, ON APRIL 20, 2010**

Opposition of plaintiffs Michael Abney, et al., to transfer of the following action to the
United States District Court for the Eastern District of Louisiana:

Northern District of Florida

Michael Abney, et al. v. Plant Performance Services LLC, C.A. No. 3:13-00024

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**MDL No. 2187 - IN RE: C.R. BARD, INC., PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

Opposition of plaintiffs Colleen M. Hayes, Katheryn Hutto, Clara Evelyn Shinn, Julia L. Reineck, Laverne May Johnson, and Violet L. Pangborn to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

District of Massachusetts

Colleen M. Hayes v. Covidien plc, C.A. No. 1:12-12356
Katheryn Hutto v. Covidien plc, C.A. No. 1:12-12358
Clara Evelyn Shinn v. Covidien plc, C.A. No. 1:12-12359
Julia L. Reineck v. Covidien plc, C.A. No. 1:12-12360
Laverne May Johnson v. Covidien plc, C.A. No. 1:12-12361
Violet L. Pangborn v. Covidien plc, C.A. No. 1:12-12363

**MDL No. 2226 - IN RE: DARVOCET, DARVON AND PROPOXYPHENE PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiffs Jerald Bowen, et al.; Thomas Mitchell, et al.; and Edward Baltazar, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Kentucky:

Eastern District of California

Jerald Bowen, et al. v. McKesson Corporation, et al., C.A. No. 1:12-01906
Thomas Mitchell, et al. v. McKesson Corporation, et al., C.A. No. 1:12-01907
Edward Baltazar, et al. v. McKesson Corporation, et al., C.A. No. 1:12-01917

**MDL No. 2262 - IN RE: LIBOR-BASED FINANCIAL INSTRUMENTS ANTITRUST
LITIGATION**

Opposition of plaintiff George Maragos to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of New York

George Maragos v. Bank of America Corporation, et al., C.A. No. 2:12-06294

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**MDL No. 2295 - IN RE: PORTFOLIO RECOVERY ASSOCIATES, LLC, TELEPHONE
CONSUMER PROTECTION ACT LITIGATION**

Opposition of plaintiffs Kerry Skarbakka, et al., to transfer of the following action to the
United States District Court for the Southern District of California:

District of Arizona

Kerry Skarbakka, et al. v. Portfolio Recovery Associates, LLC, C.A. No. 3:12-08187

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

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

Southern District of New York

Patricia Abbruzzese v. The National Football League, et al., C.A. No. 1:12-09250

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

Oppositions of plaintiffs Velvette Hannig and Martha Salazar, et al., to transfer of their
respective following actions to the United States District Court for the Southern District of West
Virginia:

District of Nevada

Velvette Hannig v. Rafael G. Juarez, M.D., et al., C.A. No. 2:12-02058

Northern District of Texas

Martha Salazar, et al. v. Jorge Francisco Lopez, et al., C.A. No. 3:13-00188

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

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

Eastern District of California

Evora Rubio, et al. v. Lara Jeanine Arndal, M.D., et al., C.A. No. 1:13-00027

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

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

Middle District of Florida

John Oriolt v. MI Windows and Doors, Inc., C.A. No. 5:13-00003

Northern District of Georgia

James R. Lovingood, et al. v. MI Windows and Doors, Inc., C.A. No. 1:12-04369

Eastern District of Virginia

Jessica Meghan Zepeda v. MI Windows and Doors, Inc., C.A. No. 1:12-01512

Northern District of West Virginia

Larry L. Taylor v. MI Windows and Doors, Inc., C.A. No. 3:12-00165

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MDL No. 2343 - IN RE: SKELAXIN (METAXALONE) ANTITRUST LITIGATION

Opposition of plaintiff SigmaPharm, Inc., to transfer of the following action to the United States District Court for the Eastern District of Tennessee:

Eastern District of Pennsylvania

SigmaPharm, Inc. v. Mutual Pharmaceutical Company, Inc., et al., C.A. No. 2:12-02522

MDL No. 2358 - IN RE: GOOGLE INC. COOKIE PLACEMENT CONSUMER PRIVACY LITIGATION

Opposition of plaintiffs Daniel Mazzone and Michael Frohberg, et al., to transfer of their respective following actions to the United States District Court for the District of Delaware:

Eastern District of New York

Daniel Mazzone v. Vibrant Media, Inc., C.A. No. 1:12-02672

Michael Frohberg, et al. v. Media Innovation Group, LLC, et al., C.A. No. 1:12-02674

MDL No. 2385 - IN RE: PRADAXA (DABIGATRAN ETEXILATE) PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs Therese Skipton, Billie S. Hilton, and Heidi Markus to transfer of their respective following actions to the United States District Court for the Southern District of Illinois:

District of Delaware

Therese Skipton v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 1:12-01679

Billie S. Hilton v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 1:13-00013

Heidi Markus v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 1:13-00014

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

Opposition of plaintiff Lori Ann Davis to transfer of the following action to the United States District Court for the Northern District of Indiana:

District of Maryland

Lori Ann Davis v. Biomet Orthopaedics, LLC, et al., C.A. No. 1:12-03738

Motion of plaintiffs Gregg Mattern, et al., to transfer the following action to the United States District Court for the Northern District of Indiana:

District of New Jersey

Gregg Mattern, et al. v. Biomet, Inc., et al., C.A. No. 2:12-04931

MDL No. 2406 - IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION

Opposition of plaintiff LifeWatch Services, Inc., to transfer of the following action to the United States District Court for the Northern District of Alabama:

Eastern District of Pennsylvania

LifeWatch Services, Inc. v. Highmark, Inc., et al., C.A. No. 2:12-05146

**MDL No. 2407 - IN RE: HIGHER ONE ONEACCOUNT MARKETING AND SALES
PRACTICES LITIGATION**

Opposition of plaintiff Aisha DeClue to transfer of the following action to the United States District Court for the District of Connecticut:

Eastern District of Missouri

Aisha DeClue v. Higher One, Inc., et al., C.A. No. 4:12-02361

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**MDL No. 2416 - IN RE: CAPITAL ONE TELEPHONE CONSUMER PROTECTION
ACT LITIGATION**

Opposition of defendants Legal Recovery Law Offices, David Cotter, Mark Walsh, Rebecca Beretta, and Lorena Ray to transfer of the following action to the United States District Court for the Northern District of Illinois:

Southern District of California

Marta De La Torre v. Legal Recovery Law Office, et al., C.A. No. 3:12-02579

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.