

**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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **January 30, 2025**

LOCATION OF HEARING SESSION: Wilkie D. Ferguson, Jr. U.S. Courthouse  
Ceremonial Courtroom 13-3, 13th Floor  
400 North Miami Avenue  
Miami, Florida 33128

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 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) need not attend 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:

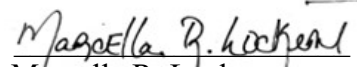
- The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions including those concerning an appropriate transferee district. Any change in position should 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.

-2-

- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may obtain the court reporter's contact information from the court reporter at the hearing or from the Panel at 202-502-2800 following the hearing.

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 6, 2025**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

  
Marcella R. Lockert  
Acting Clerk of the Panel

cc: Clerk, United States District for the Southern 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 30, 2025, the Panel will convene a hearing session in Miami, Florida, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

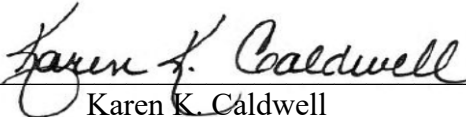
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

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(b), 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

  
\_\_\_\_\_

Karen K. Caldwell

Chair

Nathaniel M. Gorton  
David C. Norton  
Dale A. Kimball

Matthew F. Kennelly  
Roger T. Benitez  
Madeline Cox Arleo

SCHEDULE OF MATTERS FOR HEARING SESSION  
January 30, 2025 -- Miami, Florida

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

(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.)

**MDL No. 3131 – IN RE: CARTER'S, INC., MARKETING AND SALES PRACTICES LITIGATION**

Motion of defendant Carter's, Inc., to transfer the following actions to the United States District Court for the Northern District of Georgia or, in the alternative, the United States District Court for the District of Oregon:

Central District of California

RINGLER v. CARTER'S, INC., ET AL., C.A. No. 2:24–06878

Southern District of New York

NAMVARY v. CARTER'S, INC., ET AL., C.A. No. 1:24–06787

District of Oregon

BOOTH v. CARTER'S, INC., C.A. No. 3:24–01341

**MDL No. 3133 – IN RE: AVOCADO OIL MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Kevin Smith, et al.; Rajat Dawar; Maggie Frost; Matthew Hawkins; Ralph Milan; and Cara Zajac, et al., to transfer the following actions to the United States District Court for the Northern District of Illinois or, in the alternative, the United States District Court for the District of Massachusetts:

District of Arizona

MILAN v. SFM LLC, C.A. No. 2:24–02642

Central District of California

MORRISON v. SOVENA USA, INC., C.A. No. 2:24–08144

GOLIKOV v. WALMART INC., C.A. No. 2:24–08211

VALDOVINOS v. TARGET CORPORATION, C.A. No. 2:24–08572

Eastern District of California

HAWKINS v. WALMART, INC., C.A. No. 1:24-00374

Northern District of California

SMITH, ET AL. v. TRADER JOES COMPANY, C.A. No. 3:24-06834

Northern District of Illinois

DAWAR v. SAM'S WEST, INC., ET AL., C.A. No. 1:24-09106

District of Massachusetts

ZAJAC, ET AL. v. THE STOP & SHOP HOLDINGS, INC., C.A. No. 1:24-12512

Southern District of New York

FROST v. ALDI INC., C.A. No. 1:24-07095

**MDL No. 3134 – IN RE: AVYCAZ (CEFTAZIDIME AND AVIBACTAM) PATENT LITIGATION**

Motion of plaintiffs AbbVie, Inc., et al., to transfer the following actions to the United States District Court for the District of New Jersey:

Northern District of Illinois

ABBVIE, INC., ET AL. v. FRESENIUS KABI USA, LLC, ET AL., C.A. No. 1:24-04914

District of New Jersey

ABBVIE, INC., ET AL. v. QILU PHARMA, INC., ET AL., C.A. No. 3:24-06759

**MDL No. 3135 – IN RE: AGI SURETRACK, LLC, CONTRACT LITIGATION**

Motion of defendants OPISystems, Inc.; Integris USA, LLC; Adam Weiss; and Seth Tackett to transfer the following actions to the United States District Court for the Western District of Missouri:

District of Kansas

AGI SURETRACK, LLC v. TACKETT, ET AL., C.A. No. 2:23-02372

Western District of Missouri

AGI SURETRACK, LLC v. INTELLIFARMS NORTHERN DIVISION,  
C.A. No. 4:23-00578

MDL No. 3136 – **IN RE: CASH SWEEP PROGRAMS CONTRACT LITIGATION**

Motion of plaintiffs Safron Capital Corp. and Brickman Investments Inc. to transfer the following actions to the United States District Court for the Southern District of New York:

Central District of California

LOUGHRAN, ET AL. v. THE CHARLES SCHWAB CORPORATION, ET AL.,  
C.A. No. 2:24-07344  
SAUNDERS v. CHARLES SCHWAB & CO., INC., ET AL., C.A. No. 2:24-07638  
DAVIS, ET AL. v. THE CHARLES SCHWAB CORPORATION, ET AL.,  
C.A. No. 2:24-08410  
LOURENCO v. AMERIPRISE FINANCIAL, INC., ET AL., C.A. No. 2:24-08825  
CHAKRAVARTHY v. WELLS FARGO & COMPANY, ET AL., C.A. No. 2:24-08831

Northern District of California

IN RE WELLS FARGO CASH SWEEP LITIGATION, C.A. No. 3:24-04616  
NADOLNY v. WELLS FARGO & COMPANY, ET AL., C.A. No. 3:24-04633  
VARADY v. WELLS FARGO & COMPANY, ET AL., C.A. No. 3:24-04917  
COBB v. WELLS FARGO & COMPANY, ET AL., C.A. No. 3:24-06696

Southern District of California

PETERS v. LPL FINANCIAL LLC, C.A. No. 3:24-01228  
NEVITT v. LPL FINANCIAL HOLDINGS, INC., ET AL., C.A. No. 3:24-01358  
WHITE v. LPL FINANCIAL HOLDINGS, INC., ET AL., C.A. No. 3:24-01724

Middle District of Florida

MORRIS v. THE CHARLES SCHWAB CORPORATIONS, ET AL.,  
C.A. No. 2:24-00985  
SCHMIDLIN, ET AL. v. RAYMOND JAMES FINANCIAL, INC., ET AL.,  
C.A. No. 8:24-02041  
CONRAN v. RAYMOND JAMES FINANCIAL, INC., ET AL., C.A. No. 8:24-02511

District of Minnesota

MEHLMAN, ET AL. v. AMERIPRISE FINANCIAL, INC., ET AL., C.A. No. 0:24-03018

District of New Jersey

BURMIN, ET AL. v. E\*TRADE SECURITIES LLC, ET AL., C.A. No. 2:24-00603

Southern District of New York

VALELLY v. MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED,  
C.A. No. 1:19-07998  
MCCRARY v. MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED,  
C.A. No. 1:23-10768  
ESTATE OF BERNARD J. SHERLIP v. MORGAN STANLEY, ET AL.,  
C.A. No. 1:24-04571  
GOLDSMITH v. UBS FINANCIAL SERVICES INC., C.A. No. 1:24-06354  
BODEA v. JPMORGAN CHASE & CO., ET AL., C.A. No. 1:24-06404  
DAVITT v. UBS FINANCIAL SERVICES INC., C.A. No. 1:24-06692  
SAFRON CAPITAL CORP. v. BANK OF AMERICA CORPORATION, ET AL.,  
C.A. No. 1:24-07743  
BRICKMAN INVESTMENTS INC. v. WELLS FARGO & COMPANY, ET AL.,  
C.A. No. 1:24-07751  
CANALES v. JP MORGAN CHASE AND CO., ET AL., C.A. No. 1:24-08377

Western District of Pennsylvania

VALLIN v. PNC INVESTMENTS, LLC, ET AL., C.A. No. 2:24-01295

**MDL No. 3137 – IN RE: VISA DEBIT NETWORK ANTITRUST LITIGATION**

Motion of plaintiff Richard Pantano to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

PANTANO v. VISA INC., C.A. No. 3:24-07365

Southern District of New York

IN RE: VISA DEBIT CARD ANTITRUST LITIGATION, C.A. No. 1:24-07435  
YABLA INC. v. VISA INC., C.A. No. 1:24-08045  
NDA AESTHETICS, LLC, ET AL. v. VISA INC., C.A. No. 1:24-08269

**MDL No. 3138 – IN RE: DENOSUMAB PATENT LITIGATION**

Motion of plaintiffs Amgen Inc., et al., to transfer the following actions to the United States District Court for the District of New Jersey:

Northern District of Illinois

AMGEN, INC., ET AL. v. FRESENIUS KABI USA, LLC, ET AL., C.A. No. 1:24-09555

District of New Jersey

AMGEN, INC., ET AL. v. CELLTRION, INC., ET AL., C.A. No. 1:24-06497  
AMGEN, INC., ET AL. v. SAMSUNG BIOEPIS CO., LTD., ET AL.,  
C.A. No. 1:24-08417

Eastern District of North Carolina

AMGEN, INC., ET AL. v. ACCORD BIOPHARMA, INC., ET AL., C.A. No. 5:24-00642

**MDL No. 3139 – IN RE: GOODRX AND PHARMACY BENEFIT MANAGER  
ANTITRUST LITIGATION**

Motion of plaintiffs Old Baltimore Pike Apothecary, Inc., et al., to transfer the following actions to the United States District Court for the District of Rhode:

Central District of California

KEAVENY DRUG, INC. v. GOODRX, INC., ET AL., C.A. No. 2:24-09379  
COMMUNITY CARE PHARMACY, LLC v. GOODRX, INC., ET AL.,  
C.A. No. 2:24-09490  
GREY DOG IV v. GOODRX, INC., ET AL., C.A. No. 2:24-09858

District of Rhode Island

OLD BALTIMORE PIKE APOTHECARY, INC., ET AL. v. GOODRX HOLDINGS,  
INC., ET AL., C.A. No. 1:24-00453

**MDL No. 3140 – IN RE: DEPO-PROVERA (DEPOT MEDROXYPROGESTERONE  
ACETATE) PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Kristina Schmidt; Ajanna Lawson; Monique Jones; Huyen Nguyen; Taylor Devorak; Stacey Williams, et al.; Tanya Edgerton; Latriece Love Goodlett, et al.; and Debra Morrow to transfer the following actions to the United States District Court for the Northern District of California, and motion of plaintiffs Kathleen Fazio; LaTosha White; and Rachel Valera-Arceo, et al., to transfer the following actions to the United States District Court for the Central District of California or, in the alternative, the United States District Court for the Northern District of California:

Central District of California

JONES v. PFIZER INC., ET AL., C.A. No. 2:24-09195  
MORROW v. PFIZER INC., ET AL., C.A. No. 2:24-10060  
JOSEPH v. PFIZER INC., ET AL., C.A. No. 2:24-10173  
FAZIO v. PFIZER INC., ET AL., C.A. No. 5:24-02285  
DEVORAK v. PFIZER INC., ET AL., C.A. No. 5:24-02349  
WHITE v. PFIZER INC., ET AL., C.A. No. 5:24-02379



WILSON v. PFIZER INC., ET AL., C.A. No. 5:24-02524  
WILLIAMS, ET AL. v. PFIZER INC., ET AL., C.A. No. 8:24-02457

Eastern District of California

VALENCIA v. PFIZER INC., ET AL., C.A. No. 1:24-01346  
ROMINE v. PFIZER INC., ET AL., C.A. No. 1:24-01446  
MEDINA v. PFIZER INC., ET AL., C.A. No. 1:24-01475  
LIGHT v. PFIZER INC., ET AL., C.A. No. 2:24-03254

Northern District of California

SCHMIDT v. PFIZER INC., ET AL., C.A. No. 3:24-06875  
LAWSON v. PFIZER INC., ET AL., C.A. No. 3:24-07303  
NGUYEN v. PFIZER INC., ET AL., C.A. No. 3:24-07699  
VALERA-ARCEO, ET AL. v. PFIZER INC., ET AL., C.A. No. 3:24-08312  
FRANZI v. PFIZER INC., ET AL., C.A. No. 3:24-08372  
THOMAS v. PFIZER INC., ET AL., C.A. No. 3:24-08505  
GRUBENSKY v. PFIZER INC., ET AL., C.A. No. 3:24-08746  
GOODLETT, ET AL. v. PFIZER INC., ET AL., C.A. No. 4:24-08223  
YOUNG v. PFIZER INC., ET AL., C.A. No. 4:24-08679

Southern District of California

EDGERTON v. PFIZER INC., ET AL., C.A. No. 3:24-02167

Southern District of Indiana

NOBLE, ET AL. v. PFIZER INC., ET AL., C.A. No. 1:24-01831  
BEAVERS, ET AL. v. PFIZER INC., ET AL., C.A. No. 1:24-02105  
SHIRLEY v. PFIZER INC., ET AL., C.A. No. 2:24-00565

District of Massachusetts

WRIGHT, ET AL. v. PFIZER INC., ET AL., C.A. No. 3:24-30145

Western District of Missouri

ROWLAND v. PFIZER INC., ET AL., C.A. No. 6:24-03316

District of Nevada

STEPHENS-SMITH, ET AL. v. PFIZER INC., ET AL., C.A. No. 2:24-02123

**MDL No. 3141 – IN RE: L'OREAL USA, INC., BENZOYL PEROXIDE MARKETING  
AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Jennifer Snow; Holly Grossenbacher; Ellen Painter, et al.; Lucinda O'Dea; Latifah Abednego; and Ciara Noakes to transfer the following actions to the United States District Court for the District of Hawaii:

District of Hawaii

SNOW v. L'OREAL USA, INC., ET AL., C.A. No. 1:24-00110  
PAINTER, ET AL. v. L'OREAL USA, INC., C.A. No. 1:24-00512

Eastern District of Louisiana

GROSSENBACHER v. L'OREAL USA, INC., C.A. No. 1:24-00663

Southern District of New York

NOAKES v. L'OREAL USA, INC., C.A. No. 1:24-02735  
ABEDNEGO v. L'OREAL USA, INC., C.A. No. 1:24-03998  
O'DEA v. L'OREAL, USA, C.A. No. 1:24-08352

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

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

Opposition of plaintiff Manuel Anthony Maestas to transfer of the following action to the United States District Court for the Central District of California:

District of New Mexico

MAESTAS v. TOYOTA MOTOR CORPORATION, ET AL., C.A. No. 1:24–01024

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

Opposition of plaintiff Jon Wesley McMinn to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

District of Delaware

MCMINN v. OCEANEERING INTERNATIONAL, INC., ET AL., C.A. No. 1:24–00981

**MDL No. 2873 – IN RE: AQUEOUS FILM–FORMING FOAMS PRODUCTS LIABILITY  
LITIGATION**

Opposition of plaintiffs AIG Property Casualty Company, et al., to transfer of the *AIG Property Casualty Company* action to the United States District Court for the District of South Carolina, and motions of defendant 3M Company to transfer the *City of Irondale, Alabama*; *Town of Pine Hill, Alabama*; and *Jenkins-Griffin* actions to the United States District Court for the District of South Carolina:

Northern District of Alabama

THE CITY OF IRONDALE, ALABAMA v. 3M COMPANY, INC., ET AL.,  
C.A. No. 2:24–01327

Southern District of Alabama

THE TOWN OF PINE HILL, ALABAMA v. 3M COMPANY, ET AL.,  
C.A. No. 2:24–00284

District of Minnesota

AIG PROPERTY CASUALTY COMPANY, ET AL. v. 3M COMPANY, ET AL.,  
C.A. No. 0:24-04032

Eastern District of Virginia

JENKINS-GRIFFIN v. 3M COMPANY, ET AL., C.A. No. 2:24-00600

**MDL No. 3083 – IN RE: MOVEIT CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Opposition of plaintiffs James W. Schottel, et al., to transfer of the following action to the  
United States District Court for the District of Massachusetts:

Eastern District of Missouri

SCHOTTEL, ET AL. v. WISCONSIN PHYSICIANS SERVICE INSURANCE  
CORPORATION, ET AL., C.A. No. 4:24-01284

**MDL No. 3108 – IN RE: CHANGE HEALTHCARE, INC., CUSTOMER DATA  
SECURITY BREACH LITIGATION**

Oppositions of plaintiffs Jersey Shore Anesthesiology Associates, P.A., and Gabriel Pethick to  
transfer of their respective following actions to the United States District Court for the District of  
Minnesota:

Northern District of Georgia

JERSEY SHORE ANESTHESIOLOGY ASSOCIATES, P.A. v. CHANGE  
HEALTHCARE TECHNOLOGY ENABLED SERVICES, LLC, C.A. No. 1:24-05075

Middle District of Tennessee

PETHICK v. CHANGE HEALTHCARE, INC., ET AL., C.A. No. 3:24-01227

**MDL No. 3114 – IN RE: AT&T INC. CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Oppositions of plaintiffs Gore and Chavez to transfer of the *Gore* and *Chavez* actions to the  
United States District Court for the Northern District of Texas, and opposition of plaintiffs Simon,  
Simply180, Braverman, Van Teeffelen, and Bornstein to transfer of their respective actions to the  
United States District Court for the Northern District of Texas with simultaneous separation and  
remand of their claims to the transferor court:

Southern District of California

GORE v. AT&T, INC., ET AL., C.A. No. 3:24-01885  
CHAVEZ v. AT&T, INC., ET AL., C.A. No. 3:24-02058

Southern District of Florida

SIMON v. AT&T MOBILITY LLC, C.A. No. 0:24-61737  
SIMPLY180, INC. v. AT&T MOBILITY LLC, C.A. No. 0:24-61743  
BRAVERMAN v. AT&T MOBILITY LLC, C.A. No. 1:24-23685  
VAN TEEFFELLEN v. AT&T MOBILITY LLC, C.A. No. 1:24-23776  
BORNSTEIN v. AT&T MOBILITY LLC, C.A. No. 9:24-81225

MDL No. 3126 – **IN RE: SNOWFLAKE, INC., DATA SECURITY BREACH  
LITIGATION**

Opposition of plaintiff Hao Zhe Wang to transfer of the following action to the United States District Court for the District of Montana:

Southern District of New York

WANG v. AT&T, ET AL., C.A. No. 1:24-07206

MDL No. 3128 – **IN RE: DIVIDEND SOLAR FINANCE, LLC, AND FIFTH THIRD BANK  
SALES AND LENDING PRACTICES LITIGATION**

Oppositions of plaintiffs Tim McCune; Michael Kean, et al.; Angela Parr, et al.; and John Cash Smith, et al., to transfer of their respective actions to the United States District Court for the District of Minnesota:

Central District of Illinois

MCCUNE v. DIVIDEND SOLAR FINANCE LLC, C.A. No. 4:23-04075

Northern District of Illinois

KEAN, ET AL. v. CARBON SOLUTIONS SREC LLC, ET AL., C.A. No. 1:23-03767

Southern District of Illinois

PARR, ET AL. v. DIVIDEND SOLAR FINANCE LLC, C.A. No. 3:23-03870

Eastern District of Texas

SMITH, ET AL. v. DIVIDEND SOLAR FINANCE, LLC, C.A. No. 1:24-00401

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.

(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.