

**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: **May 30, 2013**

LOCATION OF HEARING SESSION: Gene Snyder United States Courthouse
Courtroom 2
601 West Broadway
Louisville, Kentucky 40202

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 **May 13, 2013**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the Western District of Kentucky

**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 May 30, 2013, the Panel will convene a hearing session in Louisville, Kentucky, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

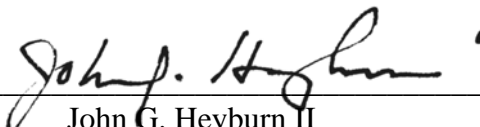
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

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
May 30, 2013 -- Louisville, Kentucky

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT¹

**MDL No. 2438 - IN RE: 5-HOUR ENERGY MARKETING AND SALES PRACTICES
LITIGATION**

Motion of defendant Innovation Ventures, LLC, to transfer the following actions to the United States District Court for the Central District of California:

Northern District of Alabama

Bruce Pettway v. Innovation Ventures, LLC, C.A. No. 2:13-00248

Central District of California

Ilya Podobedov, et al. v. Living Essentials, LLC, et al., C.A. No. 2:11-06408
Cody Soto v. Innovation Ventures, LLC, C.A. No. 2:13-00591

Middle District of Florida

Junior Hermida v. Innovation Ventures, LLC, C.A. No. 2:13-00047

Southern District of Florida

Michael Feiner v. Innovation Ventures, LLC, C.A. No. 0:12-62495

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. 2438 (Continued)

Southern District of Illinois

Thomas R. Guarino v. Innovation Ventures, LLC, C.A. No. 3:13-00101

Eastern District of Louisiana

William Waring v. Innovation Ventures, LLC, C.A. No. 2:13-00156

Eastern District of Missouri

William Forrest v. Innovation Ventures, LLC, C.A. No. 4:13-00172

Northern District of Ohio

David Berger v. Innovation Ventures, LLC, C.A. No. 1:13-00333

**MDL No. 2439 - IN RE: SUBWAY FOOTLONG SANDWICH MARKETING AND
SALES PRACTICES LITIGATION**

Motion of defendants Doctor's Associates Inc., and Subway Sandwich Shops, Inc., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Western District of Arkansas

Vincent Gotter v. Doctor's Associates, Inc., C.A. No. 5:13-05033

Eastern District of California

Richard Springer v. Doctor's Associates Inc., C.A. No. 2:13-00143

Northern District of Illinois

Nguyen Buren v. Doctor's Associates, Inc., C.A. No. 1:13-00498

Barry Gross v. Doctor's Associates Inc., C.A. No. 1:13-00601

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MDL No. 2439 (Continued)

District of New Jersey

Jason Leslie v. Doctor's Associates, Inc., et al., C.A. No. 3:13-0465
Charles Noah Pendrak, et al. v. Subway Sandwich Shops, Inc., et al.,
C.A. No. 3:13-00918

Eastern District of Pennsylvania

Andrew Roseman v. Subway Sandwich Shops, Inc., et al., C.A. No. 2:13-00793

MDL No. 2440 - **IN RE: COOK MEDICAL, INC., PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Deborah Nolin, et al.; Brenda L. Smith, et al.; Patricia Heiser; Alice J. Johnson; Sheila Mansfield; Sarah Ruth Dunnington, et al.; and Vilinda Elizabeth Desvignes to transfer the following actions to the United States District Court for the Southern District of West Virginia:

Middle District of Alabama

Debbie Elliot-Mercer v. Cook Group, Inc. et al., C.A. No.1:13-00096
Deborah Nolin, et al. v. Cook Group, Inc., et al., C.A. No. 1:13-00100

Northern District of Alabama

Patricia Connell v. Cook Group Inc., et al., C.A. No. 3:13-00274
Janice Flannagan, et al. v. American Medical Systems, Inc., et al., C.A. No. 5:13-00311
Linda Pickard, et al. v. Boston Scientific Corporation, et al., C.A. No. 6:13-00308

Middle District of Florida

Carol Sciarro v. Cook Group, Inc., et al., C.A. No. 6:13-00170

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MDL No. 2440 (Continued)

Middle District of Georgia

Rebecca A. Sitten, et al. v. Johnson and Johnson, et al., C.A. No. 5:13-00045

Eastern District of Kentucky

Brenda L. Smith, et al. v. Cook, Inc., et al., C.A. No. 5:12-00229

District of Montana

Marilyn M. Pittsley, et al. v. Johnson & Johnson, et al., C.A. No. 9:12-00196

District of New Jersey

Patricia Heiser v. Cook Medical, Inc., et al., C.A. No. 1:13-01005

Middle District of Tennessee

Alice J. Johnson v. Cook, Inc., et al., C.A. No. 3:12-01153

Sheila Mansfield v. Cook, Inc., et al., C.A. No. 3:12-01252

Sarah Ruth Dunnington, et al. v. Cook, Inc., et al., C.A. No. 3:13-00014

Southern District of West Virginia

Pamela Haley v. Johnson & Johnson, et al., C.A. No. 2:12-01763

Susan Gabryshak, et al. v. American Medical Systems, Inc., C.A. No. 2:12-01824

Mary Butler v. Boston Scientific Corporation, C.A. No. 2:12-02411

Bonnie Huggins, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-02412

Susan Grizzle, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-02991

Vicki Trammell, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-02994

Lydia Blackwell, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-03155

Rose Young, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-03198

Emily Welch-Stamey v. Ethicon, Inc., et al., C.A. No. 2:12-03202

Schedule of Matters for Hearing Session, Section A
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MDL No. 2440 (Continued)

Southern District of West Virginia (Continued)

Shannon Hoskins, et al. v. C. R. Bard, Inc., C.A. No. 2:12-03207
Peggy Gossett, et al. v. American Medical Systems, Inc., et al.,
C.A. No 2:12-03722
Kimberley A. Hatto v. Ethicon Inc., et al., C.A. No. 2:12-03904
Linda Wallace v. Ethicon, Inc., et al., C.A. No. 2:12-03908
Peggy D. McCloud v. American Medical Systems, Inc., et al.,
C.A. No. 2:12-04057
Wanda Raines v. American Medical Systems, Inc., et al., C.A. No.2:12-04178
Jean Carper, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-04276
Edna Watkins v. C. R. Bard, Inc., et al., C.A. No. 2:12-04396
Esther Turner, et al. v. American Medical Systems, Inc., et al., C.A. No. 2:12-04556
Stephanie Wolfe v. American Medical Systems, Inc., et al., C.A. No. 2:12-04558
Dorothy M. Womble, et al. v. C. R. Bard, Inc., et al., C.A. No. 2:12-04560
Anna H. Davenport v. Boston Scientific Corporation, C.A. No. 2:12-04566
Stephanie Kindhart v. C. R. Bard, Inc., C.A. No. 2:12-04569
Celia Alvarez, et al. v. American Medical Systems, Inc., et al., C.A. No. 2:12-04570
Mary E. Gilbert, et al. v. Ethicon, Inc. et al., C.A. No. 2:12-04572
Lynda S. Nicholson v. C. R. Bard, Inc., et al., C.A. No. 2:12-04575
Vilinda Elizabeth Desvignes v. Ethicon, Inc., et al., C.A. No. 2:12-06032
Cissy L. Wyatt v. American Medical Systems, Inc., et al., C.A. No. 2:12-07001

MDL No. 2441 - **IN RE: STRYKER REJUVENATE AND ABG II HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Robert Davis for centralization of certain of the following actions in the United States District Court for the District of Minnesota and motion, as amended, of plaintiff Christine Wilkinson for centralization of certain of the following actions in the United States District Court for the Northern District of Illinois:

Northern District of Alabama

Mary Forbes v. Howmedica Osteonics Corporation, C.A. No. 2:12-03781

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MDL No. 2441 (Continued)

Northern District of Alabama (Continued)

Patricia Bernauer v. Howmedica Osteonics Corporation, C.A. No. 3:13-00508

Southern District of Alabama

Ruby Phillippi v. Howmedica Osteonics Corporation, C.A. No. 1:12-00760

District of Alaska

Mary Carhart, et al. v. Stryker Corporation, et al., C.A. No. 3:12-00212

Eastern District of Arkansas

Tracy Sponer v. Howmedica Osteonics Corporation, C.A. No. 4:12-00701

Northern District of California

Sandra Viens, et al. v. Howmedica Osteonics Corporation, et al., C.A. No. 3:13-00262

Michael Leachman v. Howmedica Osteonics Corporation, et al., C.A. No. 3:13-00263

Jeffrey Lomack v. Howmedica Osteonics Corporation, et al., C.A. No. 3:13-00267

Laray Johnson v. Howmedica Osteonics Corporation, et al., C.A. No. 3:13-00268

Anthony Fletcher, et al. v. Howmedica Osteonics Corporation, et al.,

C.A. No. 3:13-00270

Middle District of Florida

James Gewand v. Stryker Corporation, et al., C.A. No. 3:13-00298

Paul Buley, et al. v. Howmedica Osteonics Corporation, C.A. No. 8:12-02540

Southern District of Florida

Connie Piccinonna, et al. v. Howmedica Osteonics Corporation, et al.,

C.A. No. 0:12-61945

Bernard Owen v. Howmedica Osteonics Corporation, C.A. No. 0:13-60183

Cheryl Riley v. Howmedica Osteonics Corporation, C.A. No. 0:13-60674

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MDL No. 2441 (Continued)

Southern District of Florida (Continued)

Joel Eisen, et al. v. Howmedica Osteonics Corporation, C.A. No. 9:13-80169

Northern District of Illinois

Randall Crew, et al. v. Howmedica Osteonics Corporation, et al., C.A. No. 1:13-01133

Christine Wilkinson v. Howmedica Osteonics Corporation, C.A. No. 1:13-01307

Barbara Ruben v. Howmedica Osteonics Corporation, et al., C.A. No. 1:13-02144

Robert Schwartz v. Stryker Corporation, et al., C.A. No.1:13-02299

Southern District of Illinois

Patricia Anderson v. Stryker Corporation, et al., C.A. No. 3:13-00266

Eastern District of Kentucky

Gary Wagner, et al. v. Howmedica Osteonics Corporation, C.A. No. 2:13-00038

Eastern District of Louisiana

Pamelia Espat, et al. v. Stryker Corporation, et al., C.A. No. 2:13-00188

Western District of Louisiana

David H. Hunter, et al. v. Stryker Corporation, et al., C.A. No. 2:12-02965

Lee Ann Pontiff v. Stryker Orthopaedics, C.A. No. 6:13-00299

Michael R. Hebert v. Stryker Orthopaedics, C.A. No. 6:13-00300

District of Massachusetts

Lisa Lincoln, et al. v. Howmedica Osteonics Corporation, C.A. No. 1:13-10689

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MDL No. 2441 (Continued)

District of Minnesota

Cheryl Helder, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00156
Jan Heitland, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00168
Jeffrey Mathiasen, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00170
Roger Towler, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00171
Scott Bergman, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00216
Joan Brennan, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00217
Robert Davis v. Howmedica Osteonics Corporation, C.A. No. 0:13-00235
John Gjerde v. Howmedica Osteonics Corporation, C.A. No. 0:13-00236
Paul Orndorff et al v. Howmedica Osteonics Corporation, et al., C.A. No. 0:13-00329
Wayne Berg, et al. v. Howmedica Osteonics Corporation., C.A. No. 0:13-00388
Judith Brumbaugh, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00611
Gerald Borgman, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00612
Eugene Bidinger, et al. v. Howmedica Osteonics Corporation, C.A. No. 0:13-00613

Eastern District of Pennsylvania

Annalisa Fox v. Howmedica Osteonics Corporation, C.A. No. 2:13-01387

District of Utah

Erma Jean Dorius Naegle, et al. v. Stryker Corporation et al., C.A. No.1:1200240

MDL No. 2443 - **IN RE: NICKELODEON CONSUMER PRIVACY LITIGATION**

Motion of defendant Viacom Inc. to transfer the following actions to the United States District Court for the District of New Jersey:

Northern District of California

L.G. v. Google, Inc., et al., C.A. No. 3:12-06555

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MDL No. 2443 (Continued)

Southern District of Illinois

T.M. v. Viacom, Inc., et al., C.A. No. 3:12-01295

Western District of Missouri

N.J. v. Viacom, Inc., et al., C.A. No. 2:12-04322

District of New Jersey

CAF and CTF, et al. v. Viacom, Inc., et al., C.A. No. 2:12-07829

Western District of Pennsylvania

K.T. v. Viacom, Inc., et al., C.A. No. 2:12-01868

Southern District of Texas

Stephanie Fryar v. Viacom, Inc., et al., C.A. No. 4:12-03713

MDL No. 2444 - **IN RE: SPRAY POLYURETHANE FOAM INSULATION PRODUCTS
LIABILITY LITIGATION**

Motion of plaintiff Lucille Renzi to transfer the following actions to the United States
District Court for the Southern District of Florida:

District of Connecticut

Christopher Albanese, et al. v. Demilec (USA) LLC, et al., C.A. No. 3:12-01053

Southern District of Florida

Lucille Renzi v. Demilec (USA) LLC, et al., C.A. No. 9:12-80516

Bruce Haas, et al. v. Demilec (USA) LLC, et al., C.A. No. 9:12-81160

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MDL No. 2444 (Continued)

Western District of Michigan

Joel Stegink, et al. v. Demilec (USA) LLC, et al., C.A. No. 1:12-01243

District of New Jersey

David Schraeder, et al. v. Demilec (USA) LLC, et al., C.A. No. 2:12-06074

Eastern District of New York

Neil Markey, et al. v. Lapolla Industries, Inc., et al., C.A. No. 2:12-04622

Eastern District of Pennsylvania

Daniel Slemmer, et al. v. NCFI Polyurethanes, et al., C.A. No. 2:12-06542

Western District of Wisconsin

Kevin Hecker v. Demilec (USA) LLC, et al. C.A. No. 3:12-00682

MDL No. 2445 - **IN RE: SUBOXONE (BUPRENORPHINE HYDROCHLORIDE AND
NALOXONE) ANTITRUST LITIGATION**

Motion of plaintiff Burlington Drug Company, Inc., to transfer the following actions to
the United States District Court for the District of Vermont:

Eastern District of Pennsylvania

Meijer, Inc., et al. v. Reckitt Benckiser, Inc., et al., C.A. No. 2:13-01122

Middle District of Pennsylvania

United Food and Commercial Workers Health and Welfare Fund of Northeastern
Pennsylvania v. Reckitt Benckiser, Inc., et al., C.A. No. 1:13-00589

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MDL No. 2445 (Continued)

District of Vermont

Burlington Drug Company, Inc. v. Reckitt Benckiser Group plc, et al.,
C.A. No. 1:12-00282

MDL No. 2446 - **IN RE: STANDARD & POOR'S RATING AGENCY LITIGATION**

Motion of defendants The McGraw-Hill Companies, Inc., and Standard & Poor's
Financial Services, LLC, to transfer the following actions to the United States District Court for
the Southern District of New York:

District of Arizona

State of Arizona, ex rel. Thomas C. Horne v. The McGraw-Hill Companies Inc., et al.,
C.A. No. 2:13-00463

Eastern District of Arkansas

State of Arkansas, ex rel. Dustin McDaniel v. The McGraw-Hill Companies, Inc., et al.,
C.A. No. 4:13-00117

District of Colorado

State of Colorado, ex rel. John W. Suthers v. The McGraw-Hill Companies, Inc., et al.,
C.A. No. 1:13-00572

District of Connecticut

State of Connecticut v. The McGraw Hill Companies, Inc., et al., C.A. No. 3:13-00311

District of Delaware

State of Delaware v. The McGraw-Hill Companies, Inc., et al., C.A. No. 1:13-00363

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MDL No. 2446 (Continued)

District of District of Columbia

District of Columbia v. The McGraw-Hill Companies, Inc., et al., C.A. No. 1:13-00292

District of Idaho

State of Idaho, ex rel. Lawrence Wasden v. The McGraw-Hill Companies, Inc., et al.,
C.A. No. 1:13-00108

Northern District of Illinois

The People of the State of Illinois v. The McGraw-Hill Companies, Inc., et al.,
C.A. No. 1:13-01725

Southern District of Iowa

State of Iowa, ex rel. Thomas Miller v. The McGraw-Hill Companies, Inc., et al.,
C.A. No. 4:13-00111

District of Maine

State of Maine v. The McGraw-Hill Companies, Inc., et al., C.A. No. 1:13-00067

Southern District of Mississippi

State of Mississippi v. The McGraw-Hill Companies, Inc., et al., C.A. No. 3:11-00343

Western District of Missouri

State of Missouri, ex rel. Chris Koster, et al. v. The McGraw-Hill Companies, Inc.,
et al., C.A. No. 4:13-00221

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MDL No. 2446 (Continued)

Eastern District of North Carolina

State of North Carolina, ex rel. Roy Cooper v. The McGraw-Hill Companies, Inc., et al.,
C.A. No. 5:13-00163

Middle District of Pennsylvania

Commonwealth of Pennsylvania by Attorney General Kathleen G. Kane v. The
McGraw-Hill Companies, Inc., et al., C.A. No. 1:13-00605

District of South Carolina

The McGraw-Hill Companies, Inc., et al. v. Alan Wilson, C.A. No. 3:13-00322
State of South Carolina, ex rel. Alan Wilson v. The McGraw-Hill Companies, Inc.,
et al., C.A. No. 3:13-00596

Middle District of Tennessee

The McGraw-Hill Companies, Inc., et al. v. Robert E. Cooper, Jr.,
C.A. No. 3:13-00089
State of Tennessee, ex rel. Robert E. Cooper, Jr., Attorney General and Reporter v.
The McGraw-Hill Companies, Inc., et al., C.A. No. 3:13-00193

Western District of Washington

State of Washington v. The McGraw-Hill Companies, Inc., et al., C.A. No. 2:13-00398

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MDL No. 2447 - **IN RE: MAYBELLINE NEW YORK AND L'OREAL PARIS
COSMETIC PRODUCTS MARKETING AND SALES PRACTICES
LITIGATION**

Motion of defendants L'Oreal USA, Inc., and Maybelline LLC d/b/a Maybelline New York to transfer the following actions to the United States District Court for the Southern District of New York:

Eastern District of California

Patsy Murdock v. Maybelline, LLC, C.A. No. 2:13-00207

Northern District of California

Liat Orshansky v. L'Oreal USA, Inc., et al., C.A. No. 3:12-06342

Southern District of California

Yanira Algarin v. Maybelline, LLC, C.A. No. 3:12-03000

Southern District of New York

Carol Leebove, et al. v. Maybelline, LLC, C.A. No.1:12-07146

MDL No. 2448 - **IN RE: ANHEUSER-BUSCH BEER LABELING MARKETING AND
SALES PRACTICES LITIGATION**

Motion of plaintiffs Nina Giampaoli, et al., to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

Nina Giampaoli, et al. v. Anheuser-Busch Companies, LLC, C.A. No. 3:13-00828

District of Colorado

Joel Richardson v. Anheuser-Busch Companies, LLC, C.A. No. 1:13-00506

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MDL No. 2448 (Continued)

District of New Jersey

Brian Wilson v. Anheuser-Busch Companies, LLC, C.A. No. 1:13-01122

Northern District of Ohio

Joseph Hopkins, et al. v. Anheuser-Busch Companies LLC, C.A. No. 1:13-00413

Eastern District of Pennsylvania

Thomas Greenberg, et al. v. Anheuser-Busch Companies, LLC, C.A. No. 2:13-01016

Northern District of Texas

Michael Seidenstein v. Anheuser-Busch Companies, LLC, C.A. No. 3:13-00917

MDL No. 2450 - **IN RE: FORD FUSION AND C-MAX FUEL ECONOMY LITIGATION**

Motion of plaintiffs Pedro Magana; Susan Pliner; and Sandra Wright, et al., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

Richard Pitkin, et al. v. Ford Motor Company, et al., C.A. No. 2:13-00954

Pedro Magana v. Ford Motor Company, C.A. No. 5:13-00608

Steven D. Strand, et al. v. Ford Motor Company, et al., C.A. No. 8:12-02232

District of New Hampshire

Susan Pliner v. Ford Motor Company, C.A. No. 1:13-00147

District of New Mexico

Sandra Wright, et al. v. Ford Motor Company, C.A. No. 1:13-00292

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MDL No. 2450 (Continued)

Southern District of New York

Robert Fellows v. Ford Motor Company, C.A. No. 7:13-00906
Naomi Teppich, et al. v. Ford Motor Company, C.A. No. 7:13-01144

MDL No. 2451 - **IN RE: HSBC BANK USA, N.A., DEBIT CARD OVERDRAFT FEE
LITIGATION**

Motion of defendant HSBC Bank USA, N.A., to transfer the following actions to the
United States District Court for the Eastern District of New York:

Eastern District of New York

Darek Jura v. HSBC Bank USA, N.A., et al., C.A. No. 1:12-06224
Ofra Levin, et al. v. HSBC Bank USA, N.A., et al., C.A. No. 2:12-05696

Eastern District of Virginia

Leah Hanes v. HSBC Bank USA, N.A., C.A. No. 1:13-00229

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SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

Oppositions of plaintiffs Dorothy E. Knezevic, Karen McVay, and Dianne Jacobs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Illinois

Dorothy E. Knezevic v. A.W. Chesterton Company, et al., C.A. No. 1:12-09983

Northern District of Ohio

Karen McVay v. Armstrong International, Inc., et al., C.A. No. 1:13-10001

Western District of Wisconsin

Dianne Jacobs v. Owens-Illinois Inc., et al., C.A. No. 3:12-00899

MDL No. 1816 - IN RE: KATZ INTERACTIVE CALL PROCESSING PATENT LITIGATION

Opposition of defendants GEICO Corporation, Government Employees Insurance Company, GEICO General Insurance Company, GEICO Indemnity Company, and GEICO Casualty Company to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the District of Delaware:

Central District of California

Ronald A. Katz Technology Licensing L.P. v. Comcast Corporation, et al.,
C.A. No. 2:07-06996 (D. Delaware, C.A. No. 1:07-00361)

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

Oppositions of plaintiffs Anna Acquaviva, et al.; Sandra Kathleen Caesar, et al.; Michelle Shanaya Benson, et al.; Amber J. Wilson, et al.; and Brandi Tucker, 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

Anna Acquaviva, et al. v. Organon USA, Inc., et al., C.A. No. 2:13-01035
Sandra Kathleen Caesar, et al. v. Organon USA, Inc., et al., C.A. No. 2:13-01149
Michelle Shanaya Benson, et al. v. Organon USA, Inc., et al., C.A. No. 2:13-01195

Northern District of California

Amber J. Wilson, et al. v. Organon USA, Inc., et al., C.A. No. 4:13-00705
Brandi Tucker, et al. v. Organon USA, Inc., et al., C.A. No. 4:13-00728

**MDL No. 2009 - IN RE: REGIONS MORGAN KEEGAN SECURITIES, DERIVATIVE
AND EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA)
LITIGATION**

Opposition of defendant Morgan Keegan & Company, Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Eastern District of Arkansas:

Western District of Tennessee

Herschel Zarecor, III, et al. v. Morgan Keegan & Company, Inc., C.A. No. 2:12-2341
(E.D. Arkansas, C.A. No. 4:11-00824)

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MDL No. 2070 - IN RE: CITIGROUP INC. SECURITIES LITIGATION

Opposition of plaintiff Leslie G. Shumsker to transfer of the following action to the United States District Court for the Southern District of New York:

District of Massachusetts

Leslie G. Shumsker v. Citigroup Global Markets, Inc., C.A. No. 1:13-10175

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

Oppositions of plaintiffs Jerry W. Lee, et al., and Mary Caldwell to transfer of their respective following actions to the United States District Court for the Central District of California:

Southern District of Mississippi

Jerry W. Lee, et al. v. Toyota Motor Sales, U.S.A., Inc., et al., C.A. No. 3:13-00148
Mary Caldwell v. Toyota Motor Sales, U.S.A., Inc., et al., C.A. No. 3:13-00149

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

Oppositions of plaintiffs Cherylene E. Grimsley, Jean P. Hale, Susan Larsen, Paulette Stray, Carolyn L. Sullivan, Staci Lyn Wade, and Pamela M. Wilkerson to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

District of Maryland

Cherylene E. Grimsley v. Ernest C. Wynne, III, M.D., et al., C.A. No. 8:13-00405

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MDL No. 2187 (Continued)

District of Massachusetts

Jean P. Hale v. Covidien plc, et al., C.A. No. 1:13-10190
Susan Larsen v. Covidien plc, C.A. No. 1:13-10191
Paulette Stray v. Covidien plc, et al., C.A. No. 1:13-10192
Carolyn L. Sullivan v. Covidien plc, et al., C.A. No. 1:13-10193
Staci Lyn Wade v. Covidien plc, et al., C.A. No. 1:13-10194
Pamela M. Wilkerson v. Covidien plc, et al., C.A. No. 1:13-10195

**MDL No. 2193 - IN RE: BANK OF AMERICA HOME AFFORDABLE MODIFICATION
PROGRAM (HAMP) CONTRACT LITIGATION**

Motion of defendant Jenneh Es-Sudan to transfer the following action to the United States District Court for the District of Massachusetts:

Northern District of Georgia

Federal National Mortgage Association v. Kenneth W. Ruffin, et al.,
C.A. No. 1:13-00766

**MDL No. 2244 - IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Jerry Stone to transfer of the following action to the United States District Court for the Northern District of Texas:

Central District of California

Jerry Stone v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:13-01265

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

Opposition of plaintiff The Federal Home Loan Mortgage Corporation to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of Virginia

The Federal Home Loan Mortgage Corporation v. Bank of America Corporation, et al.,
C.A. No. 1:13-00342

**MDL No. 2265 - IN RE: COUNTRYWIDE FINANCIAL CORP. MORTGAGE-BACKED
SECURITIES LITIGATION**

Opposition of plaintiffs Royal Park Investments SA/NV; Phoenix Light SF Limited, et al.; and Silver Elms CDO II Ltd., et al., to transfer of their respective following actions to the United States District Court for the Central District of California:

Southern District of New York

Royal Park Investments SA/NV v. Bank of America Corp., et al., C.A. No. 1:13-00490
Royal Park Investments SA/NV v. Bank of America Corp., et al., C.A. No. 1:13-00491
Phoenix Light SF Limited, et al. v. Bank of America Corp., et al., C.A. No. 1:13-00492
Phoenix Light SF Limited, et al. v. Bank of America Corp., et al., C.A. No. 1:13-00494
Silver Elms CDO II Ltd., et al. v. Bank of America Corp., et al., C.A. No. 1:13-00501

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

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

Eastern District of Wisconsin

Howard Manard v. E I du Pont de Nemours and Company, et al., C.A. No. 2:13-00246

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

Opposition of plaintiff Alisa Baker to transfer of the following action to the United States District Court for the Southern District of California:

Western District of Michigan

Alisa Baker v. Portfolio Recovery Associates, Inc., et al., C.A. No. 2:12-00409

**MDL No. 2299 - IN RE: ACTOS (PIOGLITAZONE) PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiff Safdar Lilak to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the District of Colorado:

Western District of Louisiana

Safdar Lilak v. Takeda Pharmaceutical North America, Inc., C.A. No. 6:12-00411
(D. Colorado, C.A. No. 1:11-03379)

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

Oppositions of plaintiffs Archie Matsos; Ross C. Hawkins; William Thomas (Tom) Bettis; Donna Perry; Scott Gilchrist; and William D. Quinlan, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Southern District of New York

Archie Matsos v. The National Football League, et al., C.A. No. 1:13-01063
Ross C. Hawkins v. The National Football League, et al., C.A. No. 1:13-01067
William Thomas (Tom) Bettis v. The National Football League, et al.,
C.A. No. 1:13-01069
Donna Perry v. The National Football League, et al., C.A. No. 1:13-01072
Scott Gilchrist v. The National Football League, et al., C.A. No. 1:13-01074
William D. Quinlan, et al. v. The National Football League, et al., C.A. No. 1:13-01100

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

Oppositions of plaintiffs Diane Thomas-Lanska, et al.; Cheryl A. Cooper, et al.; Lupe Guardado; and Marilyn Goodwin to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Central District of California

Diane Thomas-Lanska, et al. v. Antoine A. Hanna, et al., C.A. No. 2:13-01434
Cheryl A. Cooper, et al. v. Sam Siddighi, et al., C.A. No. 5:13-00345
Lupe Guardado v. Ralph A. Highshaw, et al., C.A. No. 5:13-00365
Marilyn Goodwin v. Bedros H. Kojian, M.D., et al., C.A. No. 8:13-00325

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

Oppositions of plaintiffs Veronica Cortez, et al., and defendants Cook Incorporated; Cook Medical, Inc.; Cook Urological Incorporated; Cook Biotech, Inc.; Cook Group, Inc.; Gholam A. Kiani, M.D., P.A.; and Gholam A Kiani-Khozani, M.D., to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Northern District of Alabama

Patricia Connell v. Cook Group, Inc., et al., C.A. No. 3:13-00274
Linda Pickard, et al. v. Boston Scientific Corporation, et al., C.A. No. 6:13-00308

Western District of Missouri

Elena Myers, et al. v. Cook Group, Inc., et al., C.A. No. 4:13-00160

Southern District of Texas

Veronica Cortez, et al. v. Kiani-Khozani, M.D., et al., C.A. No. 7:13-00036

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

Oppositions of defendants Cook Incorporated; Cook Medical, Inc.; Cook Urological Incorporated; Cook Biotech, Inc.; Cook Group, Inc.; and W.L. Gore & Associates, Inc., to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Middle District of Florida

Carol Sciarro v. Cook Group, Inc., et al., C.A. No. 6:13-00170

Middle District of Georgia

Rebecca A. Sitten, et al. v. Johnson & Johnson, et al., C.A. No. 5:13-00045

Western District of Missouri

Kathleen Holland, et al. v. Cook Group, Inc., et al., C.A. No. 4:13-00155
Melinda Wynn, et al. v. Cook Group, Inc., et al., C.A. No. 4:13-00156

District of Montana

Marilyn M. Pittsley, et al. v. Johnson & Johnson, et al., C.A. No. 9:12-00196

MDL No. 2332 - IN RE: LIPITOR ANTITRUST LITIGATION

Opposition of plaintiff Patrick Morrissey to transfer of the following action to the United States District Court for the District of New Jersey:

Southern District of West Virginia

State of West Virginia ex rel. v. Pfizer, Inc., C.A. No. 3:13-02546

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**MDL No. 2342 - IN RE: ZOLOFT (SERTRALINE HYDROCHLORIDE) PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiffs J.W., et al.; and A.B., et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of California

J.W., et al. v. Pfizer, Inc., et al., C.A. No. 4:13-00318

A.B., et al. v. Pfizer, Inc., et al., C.A. No. 3:13-01006

Motion of defendant Pfizer, Inc., to transfer the following action to the United States District Court for the Eastern District of Pennsylvania:

Northern District of California

Laura A. Plumlee v. Pfizer, Inc., C.A. No. 5:13-00414

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

Opposition of plaintiff Kathryn Zaite to transfer of the following action to the United States District Court for the Southern District of Illinois:

District of Nevada

Kathryn Zaite v. Carla J. Long, et al., C.A. No. 2:13-00384

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

Opposition of plaintiffs Michael Beeson, et al., to transfer of the following action to the United States District Court for the Northern District of Illinois:

Southern District of California

Michael Beeson, et al. v. Capital One Bank (U.S.A.), N.A., et al., C.A. No. 3:13-00385

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

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Northern District of California

Sandra L. Kinney, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04477
Bennie Burman v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04478
Wauneta Raynor v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04615
George Robinson v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04616
Iris Meeks, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-04617
Jack 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
Ravy Vanny v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-05752
Michael A. Arnold, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:12-06426
Karima Norrise v. Kaiser Foundation Hospitals & Health Plan, Inc., et al.,
C.A. No. 3:12-06456
John Belinda v. Bristol-Myers Squibb Company, et al., C.A. No. 4:12-05941
Irving K. Arenberg, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 4:12-06207

Northern District of Illinois

Rose Creighton, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 1:13-00629
Geraldine Jackson, et al. v. Bristol-Myers Squibb & Company, et al.,
C.A. No. 1:13-00633
Terrance Parks, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 1:13-00639
Samuel D. Tolbert, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 1:13-00647

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

Oppositions of defendant Image Guided Pain Management, P.C. d/b/a Insight
Imaging–Roanoke to transfer of the following actions to the United States District Court for the
District of Massachusetts:

Western District of Virginia

Mary Sharon Walker v. New England Compounding Pharmacy, Inc., et al.,
C.A. No. 7:12-00564
Basil E. Proffitt v. New England Compounding Pharmacy, Inc., et al.,
C.A. No. 7:12-00615

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.