

**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: **July 25, 2013**

LOCATION OF HEARING SESSION: Edward T. Gignoux Federal Courthouse
Courtroom No. 1, 2nd Floor
156 Federal Street
Portland, Maine 04101

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) 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 **July 8, 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 District of Maine

**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 July 25, 2013, the Panel will convene a hearing session in Portland, Maine, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

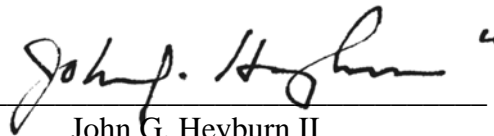
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

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
Marjorie O. Rendell
Lewis A. Kaplan

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

SCHEDULE OF MATTERS FOR HEARING SESSION
July 25, 2013 -- Portland, Maine

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT¹

MDL No. 2452 - IN RE: INCRETIN MIMETICS PRODUCTS LIABILITY LITIGATION

Motion of plaintiffs Moses Scott and Rosalie Duhon to transfer the following actions to the United States District Court for the Southern District of California:

District of Arizona

Jackie Ruiz v. Merck & Company, Inc., et al., C.A. No. 4:13-00228
Mary Jo Andrews v. Merck, Sharp & Dohme Corporation, et al., C.A. No. 4:13-00229

Southern District of California

Moses Scott v. Merck & Co., Inc., et al., C.A. No. 3:12-02549
Jan Wright v. Merck & Co., Inc., et al., C.A. No. 3:12-02553
Guy Riley v. Merck & Co., Inc., et al., C.A. No. 3:12-02556
Clara Smith v. Merck & Co., Inc., et al., C.A. No. 3:12-02557
Betty Garber v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-02560
Heidie Skinner v. Merck & Co., Inc., et al., C.A. No. 3:12-02561
Fayette Thomas v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-02562
Linda Raines v. Amylin Pharmaceuticals, Inc., et al., C.A. No.3:12-02566
Hamid Haqq v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-02572
Christopher Borden v. Merck & Co., Inc., et al., C.A. No. 3:12-02782

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.

Schedule of Matters for Hearing Session, Section A
Portland, Maine

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MDL No. 2452 (Continued)

Southern District of California (Continued)

Cheryl Ostman v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-02965
Ronald Cacossa v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-03020
Ann Jay v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-03021
James Gilbert, Jr. v. Amylin Pharmaceuticals, Inc., et al., C.A. No. 3:12-03026
Joyce Kovelman v. Merck & Co., Inc., et al., C.A. No. 3:12-03079
Marie Reed v. Merck & Co., Inc., et al., C.A. No. 3:13-00003
Robin Raesky v. Merck & Co., Inc., et al., C.A. No. 3:13-00076
Ralph Thibodeaux v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00126
Vickie Lankford v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00381
Barbara Lenyard v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00515
Lucian Baker v. Merck Sharp & Dohme Corp., et al., C.A. No. 3:13-00516
Dorothy Panko v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00632
Rosalie Duhon v. Merck Sharp & Dohme Corp., et al., C.A. No. 3:13-00662
Jeannie M. Donelan v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00664
Wayne Cser v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00665
Jerome Goldwire, et al. v. Merck & Co., Inc., et al., C.A. No. 3:13-00691
Reita Noe v. Merck & Co., Inc., et al., C.A. No. 3:13-00692
Benny Verania v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00693
Alan Burstein, et al. v. Merck & Co., Inc., et al., C.A. No. 3:13-00695
Marty Ward v. Merck & Co., Inc., et al., C.A. No. 3:13-00703
Angelo Consilvio v. Merck & Co., Inc., et al., C.A. No. 3:13-00732
Edward Naufel, et al. v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00733
George Haray, et al. v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00734
Marlene Crowell v. Merck & Co., Inc., et al., C.A. No. 3:13-00745
John McGerald v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00747
Molly McLin v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00748
James Skazis v. Merck Sharp & Dohme Corp., et al., C.A. No. 3:13-00750
Beverly Mitchell v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00754
Robert Loftus, et al. v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 3:13-00812
Darrell Stevenson v. Merck Sharp & Dohme, Corp., et al., C.A. No. 3:13-00817
Regina Sponaugle v. Novo Nordisk Inc., et al., C.A. No. 3:13-00818
Angela McMurren v. Merck Sharp & Dohme, Corp., et al., C.A. No. 3:13-00821
Francisca Anderson v. Merck Sharp & Dohme, Corp. et al., C.A. No. 3:13-00823

Schedule of Matters for Hearing Session, Section A
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MDL No. 2452 (Continued)

Southern District of California (Continued)

Juanita A. Benton v. Merck Sharp & Dohme, Corp., et al., C.A. No. 3:13-00824
Jeanette Herbel v. Merck Sharp & Dohme, Corp., et al., C.A. No. 3:13-00833

District of Colorado

Theresa Graham v. Merck & Co., Inc., et al., C.A. No. 1:13-00878

District of Kansas

Vernie Young v. Amylin Pharmaceuticals, LLC, et al., C.A. No. 2:13-02152

Eastern District of Missouri

Dawn Mooney v. Merck Sharp & Dohme, Corp., et al., C.A. No. 4:13-00598

Western District of Oklahoma

Roy Wickware, et al. v. Merck Sharp & Dohme, Corp., et al., C.A. No. 5:13-00330
Mario Ross v. Merck Sharp & Dohme, Corp., et al., C.A. No. 5:13-00332

Middle District of Pennsylvania

Nancy Sylvainus, et al. v. Merck Sharp & Dohme Corp., et al., C.A. No. 3:13-00866

Schedule of Matters for Hearing Session, Section A
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**MDL No. 2453 - IN RE: ADDERALL XR (AMPHETAMINE/DEXTROAMPHETAMINE)
MARKETING, SALES PRACTICES AND ANTITRUST LITIGATION**

Motion of plaintiff Allyson Netwall to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Central District of California

Erin Shaffer v. Shire LLC, et al., C.A. No. 2:13-02363

Southern District of Florida

Monica Barba, et al. v. Shire US, Inc., et al., C.A. No. 1:13-21158

Eastern District of Pennsylvania

Allyson Netwall v. Shire U.S., Inc., et al., C.A. No. 2:13-01669

MDL No. 2454 - IN RE: FRANCK'S LAB, INC., PRODUCTS LIABILITY LITIGATION

Motion of defendants Franck's Lab, Inc., and Franck's Pharmacy, Inc., to transfer certain of the following actions to the United States District Court for the Eastern District of Louisiana, and motion of plaintiffs Sergio Hambav, et al.; Ester Gonzalez, et al.; Ema Arakelian; Natividad Lopez; and Randy Brown to transfer certain of the following actions to the United States District of Court for the Central District of California:

Central District of California

Cheryl Avakian v. Franck's Lab, Inc., et al., C.A. No. 2:13-01068
Roy Romero, et al. v. Franck's Lab, Inc., et al., C.A. No. 2:13-01335
Joseph Cotugno, et al. v. Franck's Compounding Lab, et al., C.A. No. 2:13-01360
Migdalia Aguilar, et al. v. Franck's Lab, Inc., et al., C.A. No. 2:13-01371
Levon Jingoian v. Franck's Lab, Inc., et al., C.A. No. 2:13-01468
Sergio Hambav, et al. v. Franck's Lab, Inc., et al., C.A. No. 2:13-02058
Ester Gonzalez, et al. v. Franck's Lab, Inc., et al., C.A. No. 2:13-02358
Ema Arakelian v. Franck's Pharmacy, et al., C.A. No. 2:13-02437
Natividad Lopez v. Franck's Lab, Inc., et al., C.A. No. 2:13-02445
Jim Hermanson, et al. v. Franck's Lab, Inc., et al., C.A. No. 5:13-00432

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MDL No. 2454 (Continued)

District of Colorado

Randy Brown v. Franck's Lab, Inc., et al., C.A. No. 1:13-00846

Middle District of Florida

Evanston Insurance Company v. Franck's Lab, Inc. et al., C.A. No. 5:12-00603

Northern District of Indiana

Josephine Bienick v. Franck's Lab, Inc., C.A. No.1:12-00197

Eldon Wayne McKinley, et al. v. Franck's Lab, Inc., et al., C.A. No. 1:13-00060

Bernice Tharp v. Franck's Lab, Inc., et al., C.A. No. 1:13-00061

Eastern District of Louisiana

Ruth Smith v. Franck's Lab, Inc., et al., C.A. No.2:12-02398

Michele Laventhal v. Franck's Lab, Inc., et al., C.A. No. 2:12-02608

James Johnson, Jr. v. Franck's Lab, Inc., et al., C.A. No. 2:12-02738

Susan Kappelman, et al. v. Wells Pharmacy Network, L.L.C., et al., C.A. No. 2:12-02838

District of Nevada

Howard McMaster v. Franck's Lab, Inc., et al., C.A. No. 3:13-00100

Brenda Hess v. Franck's Lab, Inc., et al., C.A. No. 3:13-00121

MDL No. 2455 - **IN RE: STERICYCLE, INC., STERI-SAFE CONTRACT LITIGATION**

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

Southern District of California

Sassan Alavi, M.D. v. Stericycle, Inc., et al., C.A. No. 3:13-00880

Schedule of Matters for Hearing Session, Section A
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MDL No. 2455 (Continued)

Northern District of Illinois

Lyndon Veterinary Clinic, PLLC v. Stericycle, Inc., C.A. No. 1:13-02499
Harry C. Midgley, III v. Stericycle, Inc., C.A. No. 1:13-03448

Western District of Pennsylvania

Cochranton Veterinary Hospital v. Stericycle, Inc., C.A. No. 1:13-00071

MDL No. 2456 - **IN RE: KASHI COMPANY MARKETING AND SALES PRACTICES
LITIGATION**

Motion of plaintiff Nadine Saubers to transfer the following actions to the United States
District Court for the Southern District of California:

Southern District of California

Nadine Saubers v. Kashi Company, C.A. No. 3:13-00899
Denelda Norwood v. Kashi Company, C.A. No. 3:13-00956
Jeanne Burns v. Kashi Company, C.A. No. 3:13-00959

District of New Jersey

Wendy Perel, et al. v. Kashi Company, C.A. No. 2:13-02369

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**MDL No. 2457 - IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN
THE GULF OF MEXICO, ON APRIL 20, 2010 (NO. II)**

Motion of plaintiffs Joe Winkeler and Charles Robin, Sr., et al., to transfer the following actions to the United States District Court for the Southern District of Mississippi:

Southern District of Alabama

Heritage First Bancshares, Inc., et al. v. BP Exploration & Production, Inc., et al.,

C.A. No. 1:13-00203

Beaufort Engineering Services, Inc., et al. v. BP Exploration & Production, Inc., et al.,

C.A. No. 1:13-00204

Northern District of Florida

Ozean, LLC v. BP PLC, et al., C.A. No. 3:13-00247

Ozean Marine LLC v. BP PLC, et al., C.A. No. 3:13-00248

Joe Winkeler v. BP PLC, et al., C.A. No. 3:13-00249

Eastern District of Louisiana

Jensen Beach Marketing, Inc., et al. v. BP Exploration & Production, Inc., et al.,

C.A. No. 2:13-01439

Charles Robin, Sr., et al. v. BP Exploration & Production, Inc., et al.,

C.A. No. 2:13-01648

Pineville Gardens, LLC, et al. v. BP Exploration & Production, Inc., et al.,

C.A. No. 2:13-01665

Micky Loomis, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 2:13-01687

The Stationer, Ltd., et al. v. BP Exploration & Production, Inc., et al.,

C.A. No. 2:13-01727

St. Tammany Parish Library v. BP Exploration & Production, Inc., et al.,

C.A. No. 2:13-01729

Fire Protection Services, Inc. v. BP PLC, et al., C.A. No. 2:13-01758

Middle District of Louisiana

City of Baton Rouge v. BP America Production Company, et al., C.A. No. 3:13-00252

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MDL No. 2457 (Continued)

Southern District of Mississippi

Bonnie Johnson v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00137
John Michaels v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00139
Cherish Passeno v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00141
Charles Sclafini, Jr. v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00142
John Sepe v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00143

MDL No. 2458 - **IN RE: EFFEXOR (VENLAFAXINE HYDROCHLORIDE) PRODUCTS
LIABILITY LITIGATION**

Motion of plaintiffs Glenn Boyer, et al., to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Central District of California

Danyah Taha, et al. v. Pfizer Inc et al., C.A. No. 2:13-02577
I.L. v. Pfizer Inc., et al., C.A. No. 2:13-02578
D.R., et al. v. Pfizer Inc., et al., C.A. No. 8:13-00591

Eastern District of California

A.S. v. Pfizer, Inc., et al., C.A. No. 1:13-00524
Amanda Hatherley v. Pfizer, Inc., et al., C.A. No. 2:13-00719

Southern District of California

A.H., et al. v. Pfizer, Inc., et al., C.A. No. 3:13-00879

Northern District of Illinois

Tonya Sitkowski, et al. v. Wyeth Pharmaceuticals, Inc., et al., C.A. No. 1:12-08326

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MDL No. 2458 (Continued)

Northern District of Mississippi

Billie Sue Miles v. Wyeth, Inc., et al., C.A. No. 3:12-00041

Northern District of Ohio

Melissa Beatty v. Wyeth Pharmaceuticals, Inc., et al., C.A. No. 1:13-00677

Eastern District of Pennsylvania

Glenn Boyer, et al. v. Wyeth Pharmaceuticals, Inc., et al., C.A. No. 2:12-00739

Quintin Decker, et al. v. Wyeth Pharmaceuticals, Inc., et al., C.A. No. 2:12-02052

Lilypearl Victory Demastus, et al. v. Wyeth Pharmaceuticals, Inc., et al.,

C.A. No. 2:12-05057

Alivia Adamczyk, et al. v. Wyeth Pharmaceuticals, Inc., et al., C.A. No. 2:12-05058

Kevin Johnson, et al. v. Wyeth Pharmaceuticals, Inc., et al., C.A. No. 2:12-06366

**MDL No. 2459 - IN RE: LIPITOR (ATORVASTATIN CALCIUM) MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Evalina Smalls, Waltraud Gina Kane, and Susan Marie Turner to transfer the following actions to the United States District Court for the District of South Carolina:

Southern District of Illinois

Kimberly Hines v. Pfizer Inc., C.A. No. 3:13-00404

District of South Carolina

Evalina Smalls v. Pfizer Inc., C.A. No. 2:13-00796

Waltraud Gina Kane v. Pfizer Inc., C.A. No. 2:13-01012

Susan Marie Turner v. Pfizer Inc., C.A. No. 2:13-01108

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MDL No. 2459 (Continued)

Eastern District of Virginia

Patricia Colbert v. Pfizer Inc., C.A. No. 2:13-00178

MDL No. 2460 - **IN RE: NIASPAN ANTITRUST LITIGATION**

Motion, as amended, of defendants Abbott Laboratories; AbbVie Inc.; AbbVie Respiratory LLC; and Kos Pharmaceuticals, Inc., to transfer the following actions to the United States District Court for the Southern District of New York:

Eastern District of Pennsylvania

United Food & Commercial Workers Union and Midwest Health Benefits Fund v. AbbVie, Inc., et al., C.A. No. 2:13-01747
Professional Drug Company, Inc. v. Abbott Laboratories, et al., C.A. No. 2:13-01792
Rochester Drug Co-Operative, Inc. v. Abbott Laboratories, et al., C.A. No. 2:13-01820
United Food and Commercial Workers Local 1776 & Participating Employers Health and Welfare Fund v. Abbott Laboratories, et al., C.A. No. 2:13-01977
Painters District Council No. 30 Health & Welfare Fund v. AbbVie Inc., et al., C.A. No. 2:13-02343
New York Hotel Trades Council & Hotel Assoc. of New York City, Inc. Health Benefits Fund v. AbbVie Inc., et al., C.A. No. 2:13-02523
Electrical Workers 242 and 294 Health & Welfare Fund v. AbbVie, Inc., et al., C.A. No. 2:13-02861

District of Rhode Island

City of Providence, Rhode Island v. AbbVie Inc., et al., C.A. No. 1:13-00292

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MDL No. 2461 - IN RE: MYKEY TECHNOLOGY INC. PATENT LITIGATION

Motion of plaintiff MyKey Technology Inc. to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

MyKey Technology, Inc. v. Intelligent Computer Solutions, Inc., C.A. No. 2:12-10927
MyKey Technology, Inc. v. CPR Tools Inc., et al., C.A. No. 2:13-02302
MyKey Technology, Inc. v. CRU Acquisitions Group LLC, et al., C.A. No. 2:13-02476

Western District of Washington

MyKey Technology, Inc. v. CRU Acquisitions Group LLC, C.A. No. 3:13-05266

Eastern District of Wisconsin

MyKey Technology, Inc. v. Botchek, C.A. No. 2:13-00302
MyKey Technology, Inc. v. TEFKAT LLC, C.A. No. 2:13-00413

**MDL No. 2462 - IN RE: BRANDYWINE COMMUNICATIONS TECHNOLOGIES, LLC,
PATENT LITIGATION**

Motion of plaintiff Brandywine Communications Technologies, LLC, to transfer the following actions to the United States District Court for the Middle District of Florida:

District of Arizona

Brandywine Communications Technologies, LLC v. Datum Communications
Incorporated, C.A. No. 2:13-00119
Brandywine Communications Technologies, LLC v. Internet Holdings LLC,
C.A. No. 2:13-00121
Brandywine Communications Technologies, LLC v. Dakota Communications LLC,
C.A. No. 4:13-00041

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MDL No. 2462 (Continued)

Western District of Arkansas

Brandywine Communications Technologies, LLC v. NATCO Communications, Inc.,
C.A. No. 3:13-03043

Brandywine Communications Technologies, LLC v. American Network
Communications, Inc., C.A. No. 4:13-04008

Central District of California

Brandywine Communications Technologies, LLC v. Corporate West Computer Systems
Inc., C.A. No. 2:12-11008

Brandywine Communications Technologies, LLC v. Sonic.net Inc., C.A. No. 2:12-11011

Brandywine Communications Technologies, LLC v. Impulse Advanced Communications
LLC, C.A. No. 2:12-11013

Brandywine Communications Technologies, LLC v. MM Internet Inc.,
C.A. No. 2:12-11015

Brandywine Communications Technologies, LLC v. Coastal Web Online Corporation,
C.A. No. 2:12-11016

Brandywine Communications Technologies, LLC v. Surfnet Communication Inc.,
C.A. No. 2:12-11017

Brandywine Communications Technologies, LLC v. CDS Wireless Inc.,
C.A. No. 2:12-11029

Brandywine Communications Technologies, LLC v. LA Bridge Inc.,
C.A. No. 2:12-11030

Eastern District of California

Brandywine Communications Technologies, LLC v. OM Networks,
C.A. No. 2:13-00508

Northern District of California

Brandywine Communications Technologies, LLC v. AT&T Corp., et al.,
C.A. No. 4:12-02494

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MDL No. 2462 (Continued)

District of Colorado

Brandywine Communications Technologies, LLC v. Precision Communications, Inc.,
C.A. No. 1:13-00056

District of Delaware

Brandywine Communications Technologies, LLC v. InReach Internet, Inc.,
C.A. No. 1:12-01765

Brandywine Communications Technologies, LLC v. MegaPath Inc.,
C.A. No. 1:12-01767

Brandywine Communications Technologies, LLC v. Windstream Corporation,
C.A. No. 1:12-01769

Brandywine Communications Technologies, LLC v. Consolidated Communications
Holdings Inc., C.A. No. 1:12-01784

Middle District of Florida

Brandywine Communications Technologies, LLC v. Centurylink, Inc., et al.,
C.A. No. 6:12-00286

District of Idaho

Brandywine Communications Technologies, LLC v. Orbitcom, Inc.,
C.A. No. 1:12-00643

Brandywine Communications Technologies, LLC v. Cactus International, Inc.,
C.A. No. 3:12-00641

Northern District of Illinois

Brandywine Communications Technologies, LLC v. DLS Computer Services, Inc.,
C.A. No. 1:12-10317

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MDL No. 2462 (Continued)

District of Maine

Brandywine Communications Technologies, LLC v. Union River Telephone Company,
C.A. No. 1:12-00403
Brandywine Communications Technologies, LLC v. Coastal Telco Services, Inc.,
C.A. No. 2:12-00401

District of Massachusetts

Brandywine Communications Technologies, LLC v. Galaxy Internet Services, Inc.,
C.A. No. 1:13-10068

District of Minnesota

Brandywine Communications Technologies, LLC v. HickoryTech Corporation,
C.A. No. 0:12-03187

District of New Hampshire

Brandywine Communications Technologies, LLC v. G4 Communications Corporation,
C.A. No. 1:13-00017

Southern District of Ohio

Brandywine Communications Technologies, LLC v. DBSolutions, Inc.,
C.A. No. 2:13-00278

Northern District of Oklahoma

Brandywine Communication Technologies, LLC v. MBO Data, LLC,
C.A. No. 4:13-00045

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MDL No. 2462 (Continued)

District of Oregon

Brandywine Communications Technologies, LLC v. Graydog Internet, Inc.,
C.A. No. 3:12-02332
Brandywine Communications Technologies, LLC v. PEAK Internet, LLC,
C.A. No. 6:12-02335
Brandywine Communications Technologies, LLC v. Stayton Cooperative Telephone
Company, C.A. No. 6:12-02336

Middle District of Tennessee

Brandywine Communications Technologies, LLC v. Loretto Communication Services,
Inc., C.A. No. 1:13-00004

Eastern District of Texas

Brandywine Communications Technologies, LLC v. TMN, Inc., C.A. No. 6:12-01006
Brandywine Communications Technologies, LLC v. Texas Communications, Inc.,
C.A. No. 6:12-01008

Southern District of Texas

Brandywine Communications Technologies, LLC v. Colorado Valley Communications,
Inc., C.A. No. 4:13-00772

District of Utah

Brandywine Communications Technologies, LLC v. Ikano Communications, Inc.,
C.A. No. 2:12-01214

Eastern District of Wisconsin

Brandywine Communications Technologies, LLC v. Trinet-E Telecommunications Inc.,
C.A. No. 1:12-01314

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**MDL No. 2463 - IN RE: FRESH DAIRY PRODUCTS ANTITRUST LITIGATION
(NO. II)**

Motion of defendants National Milk Producers Federation; Dairy Farmers of America, Inc.; Land O'Lakes, Inc.; Dairy Lea Cooperative Inc.; and Agri-Mark, Inc., to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

Matthew Edwards, et al. v. National Milk Producers Federation, et al.,
C.A. No. 3:11-04766

Jeffrey Robb, et al. v. National Milk Producers Federation, et al., C.A. No. 3:11-04791
Boys and Girls Club of the East Valley, et al. v. National Milk Producers Federation,
et al., C.A. No. 3:11-05253

Southern District of Illinois

Brenda Blakeman v. National Milk Producers Federation, et al., C.A. No. 3:12-01246
First Impressions Salon, Inc. v. National Milk Producers Federation, et al.,
C.A. No. 3:13-00454

**MDL No. 2464 - IN RE: HSBC MORTGAGE CORPORATION FORCE-PLACED
HAZARD INSURANCE LITIGATION**

Motion of plaintiffs LaQuenta Montanez, et al., to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Southern District of Florida

Javier Lopez v. HSBC Bank USA, N.A., et al., C.A. No. 1:13-21104

Eastern District of Pennsylvania

LaQuenta Montanez, et al. v. HSBC Mortgage Corporation (USA), et al.,
C.A. No. 2:11-04074

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MDL No. 2465 - **IN RE: JPMORGAN CHASE BANK, N.A., MORTGAGE CORPORATION FORCE-PLACED HAZARD INSURANCE LITIGATION**

Motion of plaintiffs Patricia McNeary-Calloway, et al., to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

Patricia McNeary-Calloway, et al. v. JPMorgan Chase Bank, N.A., et al.,
C.A. No. 3:11-03058

Southern District of Florida

Alfred Herrick, et al. v. JPMorgan Chase Bank, N.A., et al., C.A. No. 1:13-21107

Southern District of New York

Edward Isom, Jr. v JPMorgan Chase Bank N.A., et al., C.A. No. 1:12-05431

MDL No. 2466 - **IN RE: WELLS FARGO BANK, N.A., MORTGAGE CORPORATION FORCE-PLACED HAZARD INSURANCE LITIGATION**

Motion of plaintiffs Debra Simpkins, et al., to transfer the following actions to the United States District Court for the Southern District of Illinois or, alternatively, the United States District Court for the Northern District of California:

Northern District of California

Danny Lane, et al. v. Wells Fargo Bank, N.A., C.A. No. 3:12-04026

Southern District of Florida

Ira M. Fladell, et al. v. Wells Fargo Bank, N.A., et al., C.A. No. 0:13-60721

Southern District of Illinois

Debra Simpkins, et al. v. Wells Fargo Bank, N.A., et al., C.A. No. 3:12-00768

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MDL No. 2466 (Continued)

Northern District of Indiana

Judith Hallie v. Wells Fargo Bank, N.A., et al., C.A. No. 2:12-00235

District of New Jersey

Anthony Kite v. Wells Fargo Bank, N.A., et al., C.A. No. 3:13-02075

Southern District of New York

Wayne Miller v. Wells Fargo Bank, N.A., et al., C.A. No. 7:13-01541

MDL No. 2467 - **IN RE: BANK OF AMERICA, N.A., MORTGAGE CORPORATION
FORCE-PLACED HAZARD INSURANCE LITIGATION**

Motion of plaintiffs Christopher Gustafson, et al., to transfer the following actions to the
United States District Court for the Central District of California:

Central District of California

Christopher Gustafson, et al. v. BAC Home Loan Services, LP, et al.,
C.A. No. 8:11-00915

Robin Vitek v. Bank of America, N.A., et al., C.A. No. 8:13-00816

Middle District of Florida

Pamela Karp v. Bank of America Corporation, C.A. No. 8:12-01700

Southern District of Florida

Cheryl Hall, et al. v. Bank of America, N.A., et al., C.A. No. 1:12-22700

Western District of Wisconsin

Colleen Decambaliza v. QBE Holdings, Inc., et al., C.A. No. 3:13-00286

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MDL No. 2468 - IN RE: PILOT FLYING J FUEL REBATE CONTRACT LITIGATION

Motion of plaintiff Ohio Auto Delivery, Inc., to transfer the following actions to the United States District Court for the Northern District of Ohio:

Northern District of Alabama

Charles E. Winborn, et al. v. Pilot Corporation, et al., C.A. No. 2:13-00772
Osborn Transportation, Inc. v. Pilot Corporation, et al., C.A. No. 4:13-00897

Eastern District of Arkansas

National Trucking Financial Reclamation Services, LLC v. Pilot Corporation, et al.,
C.A. No. 4:13-00250

Northern District of Florida

Jerry Floyd v. Pilot Corporation, C.A. No. 3:13-00318

Northern District of Illinois

Edis Trucking, Inc. v. Pilot Corporation, et al., C.A. No. 1:13-03294

Southern District of Mississippi

Bruce Taylor v. Pilot Corporation, et al., C.A. No. 3:13-00244
Mike Campbell v. Pilot Corporation, et al., C.A. No. 3:13-00319

Northern District of Ohio

Ohio Auto Delivery, Inc. v. Pilot Travel Centers, LLC, C.A. No. 1:13-01207

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**MDL No. 2469 - IN RE: CAPATRITI BRAND OLIVE OIL MARKETING AND SALES
PRACTICES LITIGATION**

Motion of defendant Kangadis Food Inc., d/b/a The Gourment Factory to transfer the following actions to the United States District Court for the Southern District of New York:

District of New Jersey

Frank Toscano v. Kangadis Food Inc., C.A. No. 3:13-03124

Southern District of New York

North American Olive Oil Association v. Kangadis Food Inc., C.A. No. 1:13-00868
Joseph Ebin, et al. v. Kangadis Food Inc., C.A. No. 1:13-02311

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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 Laurie Deuyour, et al., and Jeanene Kuhnau, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Central District of California

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

Northern District of California

Jeanene Kuhnau, et al. v. Allied Packing & Supply, Inc., et al., C.A. No. 3:13-01669

Opposition of defendant Borg-Warner Morse TEC Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Central District of Illinois:

Eastern District of Pennsylvania

Daniel S. Weber v. AC & S Inc., et al., C.A. No. 2:08-92132 (C.D. Illinois,
C.A. No. 2:99-02177)

**MDL No. 1760 - IN RE: AREDIA AND ZOMETA PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs James Marsh, Robert Traphagen, Rose Mary Meierhofer, Natalie Goldstein, and Scott Carpenter to remand, under 28 U.S.C. § 1407(a), of their respective following actions to their respective transferor courts:

Middle District of Tennessee

James Marsh v. Novartis Pharmaceuticals Corp., C.A. No. 3:06-00503
(E.D. New York, C.A. No. 1:06-01086)

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MDL No. 1760 (Continued)

Middle District of Tennessee (Continued)

Robert Traphagen v. Novartis Pharmaceuticals Corp., C.A. No. 3:06-00744
(S.D. New York, C.A. No. 1:06-04112)
Rose Mary Meierhofer v. Novartis Pharmaceuticals Corp., C.A. No. 3:06-00816
(S.D. New York, C.A. No. 1:06-04462)
Goldstein v. Novartis Pharmaceuticals Corp., C.A. No. 3:06-00863
(S.D. New York, C.A. No. 1:06-05512)
Scott Carpenter v. Novartis Pharmaceuticals Corp., et al., C.A. No. 3:06-00860
(S.D. New York, C.A. No. 1:06-05516)

MDL No. 1871 - **IN RE: AVANDIA MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

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

District of Maryland

State of Maryland v. GlaxoSmithKline, LLC, C.A. No. 1:13-00976

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

Oppositions of plaintiffs Nikole Grove, et al.; Amy Wiltsey, et al.; and Juanita Burton to transfer of their respective following actions to the United States District Court for the Eastern District of Missouri:

Northern District of California

Nikole Grove, et al. v. Organon USA, Inc., et al., C.A. No. 3:13-02138
Amy Wiltsey, et al. v. Organon USA Inc., et al., C.A. No. 3:13-02144
Juanita Burton v. Organon USA Inc., et al., C.A. No. 4:13-01535

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MDL No. 2042 - IN RE: REFRIGERANT COMPRESSORS ANTITRUST LITIGATION

Motion of defendants Embraco North America, Inc.; Whirlpool S.A.; and Whirlpool Corporation to transfer the following action to the United States District Court for the Eastern District of Michigan:

Western District of Kentucky

General Electric Company v. Whirlpool Corporation, et al., C.A. No. 3:13-00213

MDL No. 2099 - IN RE: STANFORD ENTITIES SECURITIES LITIGATION

Oppositions of plaintiffs Troy Lillie, et al., and defendant State of Louisiana Office of Financial Institutions to transfer of the following action to the United States District Court for the Northern District of Texas:

Middle District of Louisiana

Troy Lillie, et al. v. Stanford Trust Company, et al., C.A. No. 3:13-00150

**MDL No. 2119 - IN RE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS
(MERS) LITIGATION**

Motion of Todd Williams to transfer of the following actions to the United States District Court for the District of Arizona:

Northern District of Georgia

The Bank of New York Mellon Trust Company National Association v. Todd Williams,
C.A. No. 1:13-00901

Southern District of New York

Todd Williams v. GMAC Mortgage LLC, Bky. Adv. No. 1:13-01309

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

Opposition of defendants Toyota Motor North America, Inc.; Toyota Motor Sales, U.S.A., Inc.; Toyota Motor Engineering & Manufacturing North America, Inc.; and Toyota Motor Corporation to transfer of the following action to the United States District Court for the Central District of California:

District of Colorado

Annette Henson, et al. v. Toyota Motor Sales, U.S.A., Inc., et al., C.A. No. 1:13-00694

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

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

Southern District of Alabama

King Seafood, Inc. v. BP Exploration & Production, Inc., C.A. No. 1:13-00196
Bert P. Noojin v. BP Exploration & Production, Inc., C.A. No. 1:13-00197
Beaufort Engineering Services, Inc., et al. v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00204
City of Foley Utilities Board v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00206
The Cooperative District of the City of Spanish Fort, Alabama v. BP Exploration &
Production, Inc., et al., C.A. No. 1:13-00209
Mobile County Board of Health v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00210
The City of Spanish Fort, Alabama v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00220
MRI, LLC, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00230
Wolf Bay, LLC v. BP Exploration & Production, Inc., et al., C.A. No. 1:13-00231

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MDL No. 2179 (Continued)

Middle District of Florida

TD Auditing, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 8:13-01007
City of Treasure Island, Florida v. BP Exploration & Production, Inc. et al.,
C.A. No. 8:13-01008
City of St. Pete Beach, Florida v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01009
Tampa Bay Water v. BP Exploration & Production, Inc. et al., C.A. No. 8:13-01012
Tampa Sports Authority v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01013
City of St. Petersburg, Florida v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01014
City of St. Pete Beach, Florida v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01045
City of Treasure Island, Florida v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01046
City of St. Petersburg, Florida v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01049
Tampa Sports Authority v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01056
Tampa Bay Water v. BP Exploration & Production, Inc., et al., C.A. No. 8:13-01057
Sunshine Enterprises of Jacksonville, Inc., et al. v. BP Exploration & Production, Inc.,
et al., C.A. No. 8:13-01070
Central Financial Holdings, Inc. v. BP Exploration & Production, Inc., et al.,
C.A. No. 8:13-01071

Northern District of Florida

Heath Rushing, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 3:13-00243
Royster Construction Company, Inc., et al. v. BP Exploration and Production, Inc.,
et al., C.A. No. 3:13-00245
Joe Winkeler v. BP PLC, et al., C.A. No. 3:13-00249

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MDL No. 2179 (Continued)

Southern District of Florida

Robert V. Taylor, et al. v. BP Exploration & Production, Inc., et al.,
C.A. No. 4:13-10078
Anderson Outdoor Advertising, Inc., et al. v. BP Exploration & Production, Inc., et al.,
C.A. No. 4:13-10087
Robert Kitrick, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 4:13-10091
Robert D. Fuller v. BP Exploration & Production, Inc., et al., C.A. No. 4:13-10094

Middle District of Louisiana

City of Baton Rouge v. BP America Production, Company, et al., C.A. No. 3:13-00252

Southern District of Mississippi

Gautier Family Sports Resort and Marina, L.L.C. v. BP Exploration & Production, Inc.,
et al., C.A. No. 1:13-00149
Mary Walker Real Property Co., L.L.C. v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00150
CC's Bait Shop, L.L.C. v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00151
Concept Properties, LLC v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00152
City of Pascagoula, Mississippi v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00153
Jackson County, Mississippi v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00154
City of Ocean Springs, Mississippi v. BP Exploration & Production, Inc. et al.,
C.A. No. 1:13-00155
City of Moss Point, Mississippi v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00156
City of Gautier, Mississippi v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00157
Diamondhead Casino Corporation, et al. v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00187

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MDL No. 2179 (Continued)

Eastern District of Texas

Humble Lodging, LLC, et al. v. BP America Production, Company, et al.,
C.A. No. 1:13-00248
City of South Padre Island v. BP Exploration & Production, Inc., et al.,
C.A. No. 1:13-00249

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

Opposition of plaintiff James M. Benson to transfer of the following action to the United States District Court for the Northern District of Ohio:

District of Nevada

James M. Benson v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:13-00713

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

Oppositions of plaintiffs Carrie Veronica Jones, Emanuel Fanning, and Heide Hamelberg to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Central District of California

Carrie Veronica Jones v. DePuy Orthopadeics, Inc., et al., C.A. No. 2:13-03178
Emanuel Fanning v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:13-03179
Heide Hamelberg v. DePuy Orthopadeics, Inc., et al., C.A. No. 2:13-03180

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

Opposition of plaintiff CEMA Joint Venture to transfer of the following action to the
United States District Court for the Southern District of New York:

Northern District of Ohio

CEMA Joint Venture v. RBS Citizens, N.A., et al., C.A. No. 5:13-00904

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

Opposition of plaintiffs The Prudential Life Insurance Company, Ltd., et al., to transfer
of the following action to the United States District Court for the Central District of California:

District of New Jersey

The Prudential Life Insurance Company, Ltd., et al. v. Countrywide Financial Corp.,
et al., C.A. No. 2:13-01992

**MDL No. 2272 - IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY
LITIGATION**

Opposition of defendants Zimmer, Inc.; Zimmer Holdings, Inc.; and Zimmer Surgical,
Inc., to transfer of the following action to the United States District Court for the Northern
District of Illinois:

Eastern District of Pennsylvania

Sandra Stevenson v. Zimmer, Inc., et al., C.A. No. 2:13-00317

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

Oppositions of plaintiffs Coleen M. Perry, et al.; Kelly Strantz, et al.; and Mary Schillachi to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Eastern District of California

Coleen M. Perry, et al. v Hung T. Luu, M.D., et al., C.A. No. 1:13-00729

Eastern District of Missouri

Kelly Strantz, et al. v. Johnson & Johnson, et al., C.A. No. 4:13-00802

Western District of Missouri

Mary Schillachi v. Christopher Roberts, M.D., et al., C.A. No. 3:13-05063

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

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

District of Minnesota

Jamie Reed, et al. v. MI Windows and Doors Inc., C.A. No. 0:13-00781

**MDL No. 2371 - IN RE: UNIFIED MESSAGING SOLUTIONS LLC PATENT
LITIGATION**

Opposition of defendant BOKF, NA to transfer of the following action to the United States District Court for the Northern District of Illinois:

Northern District of Texas

Unified Messaging Solutions LLC v. BOKF, NA, C.A. No. 3:13-00181

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**MDL No. 2387 - IN RE: COLOPLAST CORP. PELVIC SUPPORT SYSTEMS
PRODUCTS LIABILITY LITIGATION**

Opposition of defendants RTI Biologics, Inc., and RTI Donor Services, Inc., to transfer of the following action to the United States District Court for the Southern District of West Virginia:

District of Minnesota

Lynette Klauck, et al. v. Analytic Biosurgical Solutions, et al., C.A. No. 0:13-00943

**MDL No. 2413 - IN RE: FRITO-LAY NORTH AMERICA, INC., "ALL NATURAL"
LITIGATION**

Oppositions of plaintiffs Stayce Deaton and Allan Mooney to transfer of their respective following actions to the United States District Court for the Eastern District of New York:

Western District of Arkansas

Stayce Deaton v. Frito-Lay North America, Inc., et al., C.A. No. 1:12-01029

District of Minnesota

Allan Mooney v. Frito-Lay, Inc., et al., C.A. No. 0:13-00648

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

Oppositions of plaintiffs Randall K. Ritchey; George W. Davis et al.; Dale Guinn, et al.; Jose Marrero; Robert L. Green; Kenneth R. Howell, et al.; Franklin Addison, et al.; Dorothy G. Gibson; and Sheila Austin to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Northern District of California

Randall K. Ritchey v. Bristol-Myers Squibb Company, et al., C.A. No. 3:13-01461

George W. Davis et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:13-01462

Dale Guinn, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:13-01487

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MDL No. 2418 (Continued)

Northern District of California (Continued)

Jose Marrero v. Bristol-Myers Squibb Company, et al., C.A. No. 3:13-01488
Robert L. Green v. Bristol-Myers Squibb Company, et al., C.A. No. 3:13-01489
Kenneth R. Howell, et al. v. Bristol-Myers Squibb Company, et al., C.A. No. 3:13-01516
Franklin Addison, et al. v. Bristol-Myers Squibb Company, C.A. No. 3:13-02166
Dorothy G. Gibson v. Bristol-Myers Squibb Company, et al., C.A. No. 4:13-01416

Eastern District of Louisiana

Sheila Austin v. Sanofi-Aventis U.S. LLC, et al., C.A. No. 2:13-00566

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

Oppositions of plaintiffs Aurora Nunez, et al., and Robert Lee Spears, et al., to transfer of their respective following actions to the United States District Court for the District of Massachusetts:

Central District of California

Aurora Nunez, et al. v. Fresenius USA, Inc., et al., C.A. No. 2:13-02729

Eastern District of Missouri

Robert Lee Spears, et al. v. Fresenius Medical Care North America, Inc., et al.,
C.A. No. 4:13-00855

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

Oppositions of defendant Bayer HealthCare Pharmaceuticals, Inc., to transfer of the following actions to the United States District Court for the Southern District of New York:

Northern District of California

Nicole Baker v. Bayer HealthCare Pharmaceuticals, Inc., C.A. No. 3:13-00490

Western District of Kentucky

Danika Vanden Bosch, et al. v. Bayer HealthCare Pharmaceuticals, Inc.,
C.A. No. 3:13-00431

Eastern District of Louisiana

Brianna Steele v. Bayer HealthCare, LLC, et al., C.A. No. 2:13-00528

Southern District of Mississippi

Britney G. Austin v. Bayer Pharmaceuticals Corporation, et al., C.A. No. 5:13-00028

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.