

**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: **July 26, 2018**

LOCATION OF HEARING SESSION: Santiago E. Campos  
United States Courthouse  
Aspen Courtroom, 2nd Floor  
106 South Federal Place  
Santa Fe, New Mexico

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.

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- 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.

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 9, 2018**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

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

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the District of New Mexico

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 26, 2018, the Panel will convene a hearing session in Santa Fe, New Mexico, 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



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
July 26, 2018 -- Santa Fe, New Mexico

**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. 2845 – IN RE: REALTIME ADAPTIVE STREAMING LLC PATENT  
LITIGATION**

Motion of plaintiff Realtime Adaptive Streaming LLC to transfer the following actions to the United States District Court for the District of Colorado:

Central District of California

REALTIME ADAPTIVE STREAMING LLC v. HULU, LLC, C.A. No. 2:17-07611

District of Colorado

REALTIME ADAPTIVE STREAMING LLC v. SLING TV LLC, ET AL.,  
C.A. No. 1:17-02097

REALTIME ADAPTIVE STREAMING LLC v. POLYCOM, INC.,  
C.A. No. 1:17-02692

REALTIME ADAPTIVE STREAMING LLC v. APPLE INC., C.A. No. 1:17-02869

District of Delaware

REALTIME ADAPTIVE STREAMING LLC v. BRIGHTCOVE, INC., ET AL.,  
C.A. No. 1:17-01519

REALTIME ADAPTIVE STREAMING LLC v. HAIVISION NETWORK VIDEO  
INC., C.A. No. 1:17-01520

REALTIME ADAPTIVE STREAMING LLC v. NETFLIX, INC., ET AL.,  
C.A. No. 1:17-01692

REALTIME ADAPTIVE STREAMING LLC v. SONY ELECTRONICS, INC.,  
C.A. No. 1:17-01693

District of Massachusetts

REALTIME ADAPTIVE STREAMING LLC v. ADOBE SYSTEMS INC.,  
C.A. No. 1:18-10355

Eastern District of Texas

REALTIME ADAPTIVE STREAMING LLC v. AMAZON.COM, INC., ET AL.,  
C.A. No. 6:17-00549

REALTIME ADAPTIVE STREAMING LLC v. CISCO SYSTEMS, INC.,  
C.A. No. 6:17-00591

REALTIME ADAPTIVE STREAMING LLC v. SAMSUNG ELECTRONICS CO.,  
LTD., ET AL., C.A. No. 6:18-00113

MDL No. 2846 – **IN RE: DAVOL, INC./C.R. BARD, INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Stephen Silber, et al.; Gladys Broyles; Marianna Coussas; Tyler Lyon; Michael Heili; Phyllis Manuel; Gregory Rowe; Wayne Ogle; Thomas Spencer; Steven Zemko; Gerald Lane; Pauline R. Currey; Kelli Abshire, et al.; Josephene Williams; and Shane Wade to transfer the following actions to the United States District Court for the Southern District of Ohio or, in the alternative, the United States District Court for the Western District of Missouri:

District of Arizona

BOURLOKAS v. DAVOL INCORPORATED, ET AL., C.A. No. 2:18-00615

Eastern District of California

SILBER, ET AL. v. DAVOL, INC., ET AL., C.A. No. 1:18-00479  
GRESCHNER v. CALIFORNIA DEPARTMENT OF CORRECTIONS &  
REHABILITATION, ET AL., C.A. No. 2:15-01663  
HANSEN v. DAVOL, INC., ET AL., C.A. No. 2:18-00495

Southern District of Florida

DAWSON-WEBB v. DAVOL, INC., ET AL., C.A. No. 0:17-62012  
BARBAREE v. DAVOL, INC., ET AL., C.A. No. 9:18-80243

Central District of Illinois

MCGINNIS v. C.R. BARD, INC., ET AL., C.A. No. 1:16-01255

Northern District of Illinois

COLEMAN v. DAVOL, INC., C.A. No. 1:18-01706

Eastern District of Kentucky

MOORE v. C.R. BARD, INC., ET AL., C.A. No. 0:17-00132

Western District of Kentucky

WHITEHOUSE v. DAVOL, INC., ET AL., C.A. No. 3:18-00020

Eastern District of Louisiana

STIPELCOVICH v. C.R. BARD, ET AL., C.A. No. 2:17-09656

MCMANUS v. C.R. BARD, ET AL., C.A. No. 2:17-11836

BAPTIST v. C.R. BARD, INC., ET AL., C.A. No. 2:17-12718

ROBERTS, SR., ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 2:17-13657

SANDERS, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 2:18-02884

Southern District of Mississippi

DOVE v. DAVOL, INC., ET AL., C.A. No. 3:18-00003

Eastern District of Missouri

GREENWOOD v. DAVOL, INC., ET AL., C.A. No. 2:17-00039

BROYLES v. DAVOL, INC., ET AL., C.A. No. 4:18-00513

Western District of Missouri

COUSSAS v. DAVOL, INC., ET AL., C.A. No. 2:18-04015

POWELL v. DAVOL, INC., ET AL., C.A. No. 3:18-05019

LYON v. C.R. BARD, INC., ET AL., C.A. No. 4:18-00039

ELI v. C.R. BARD, INC., ET AL., C.A. No. 4:18-00116

ELLIOT v. C.R. BARD, INC., ET AL., C.A. No. 4:18-00125

HEILI v. C.R. BARD, INC., ET AL., C.A. No. 4:18-00130

MANUEL v. C.R. BARD, INC., ET AL., C.A. No. 4:18-00131

POWELL v. DAVOL, INC., ET AL., C.A. No. 4:18-00156

SCHAPELER v. DAVOL, INC., ET AL., C.A. No. 4:18-00169

CHRISSAN v. C.R. BARD, INC., ET AL., C.A. No. 4:18-00171

ROWE v. C.R. BARD, INC., ET AL., C.A. No. 6:18-03019

LEE v. C.R. BARD, ET AL., C.A. No. 6:18-03075

District of New Jersey

OGLE v. C.R. BARD, INC., ET AL., C.A. No. 2:18-00819  
BURGESS v. C.R. BARD, INC., ET AL., C.A. No. 2:18-01390  
SPENCER v. C.R. BARD, INC., ET AL., C.A. No. 2:18-01692  
GALLOW v. C.R. BARD, INC., ET AL., C.A. No. 2:18-02533  
VOLPE v. C.R. BARD, INC., ET AL., C.A. No. 2:18-02602  
ZEMKO v. C.R. BARD, INC., ET AL., C.A. No. 2:18-02742  
NEWLAND, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 2:18-02915

District of New Mexico

NANCE v. C.R. BARD, INC., ET AL., C.A. No. 1:18-00003

Eastern District of New York

FURLEITER v. DAVOL, INC., ET AL., C.A. No. 2:18-01229

Northern District of Ohio

KNAUSS, ET AL. v. DAVOL, INC., ET AL., C.A. No. 3:18-00316

Southern District of Ohio

LANE v. DAVOL, INC., ET AL., C.A. No. 2:18-00164  
CURREY v. DAVOL, INC., ET AL., C.A. No. 2:18-00222  
ABSHIRE, ET AL. v. DAVOL, INC., ET AL., C.A. No. 2:18-00268

Eastern District of Pennsylvania

WROTEN, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 2:17-04546  
GORDON v. C.R. BARD, INC., ET AL., C.A. No. 2:17-04553

District of South Carolina

BROWN v. C.R. BARD, INC., ET AL., C.A. No. 2:18-00580  
CAMPBELL, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 2:18-00581  
ADAMS v. C.R. BARD, INC., ET AL., C.A. No. 2:18-00582  
BRUGGER, ET AL. v. C.R. BARD, INC., ET AL., C.A. No. 3:17-00228

Middle District of Tennessee

TERRELL v. C.R. BARD, INC., ET AL., C.A. No. 3:17-01575

Eastern District of Texas

WILLIAMS v. DAVOL, INC., ET AL., C.A. No. 1:18-00151

Southern District of Texas

BECERRA v. C.R. BARD, INC., ET AL., C.A. No. 1:18-00023

WADE v. DAVOL, INC., ET AL., C.A. No. 4:18-01112

MDL No. 2847 – **IN RE: HUDSON'S BAY COMPANY CUSTOMER DATA SECURITY  
BREACH LITIGATION**

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

Central District of California

MEKERDIJIAN v. SAKS FIFTH AVENUE LLC, ET AL.,  
C.A. No. 2:18-02649

District of Delaware

BEEKMAN v. LORD & TAYLOR, LLC, C.A. No. 1:18-00521

Southern District of New York

TAFET, ET AL. v. HUDSON'S BAY COMPANY, ET AL., C.A. No. 1:18-02980

VAINS v. HUDSONS'S BAY COMPANY, ET AL., C.A. No. 1:18-03366



MDL No. 2848 – **IN RE: ZOSTAVAX (ZOSTER VACCINE LIVE) PRODUCTS  
LIABILITY LITIGATION**

Motion of defendants Merck & Co., Inc., and Merck Sharp & Dohme Corp., to transfer the following actions to the United States District Court for the Middle District of Florida or the United States District Court for the Eastern District of Pennsylvania or, in the alternative, the United States District Court for the Eastern District of New York:

Middle District of Florida

BELL v. MERCK & CO., INC., ET AL., C.A. No. 3:17-01320  
MCRAE v. MERCK & CO., INC., C.A. No. 3:18-00483  
BLANCHARD v. MERCK & CO., INC., ET AL., C.A. No. 5:18-00038  
JONES, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 5:18-00144  
ERICKSON, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 6:17-01672  
SMITH v. MERCK & CO., INC., ET AL., C.A. No. 6:18-00043  
PATTERSON v. MERCK & CO., INC., ET AL., C.A. No. 6:18-00092  
ALFORD v. MERCK & CO., INC., ET AL., C.A. No. 6:18-00093  
GRENIER v. MERCK & CO., INC., ET AL., C.A. No. 6:18-00407  
MELENDEZ v. MERCK & CO., INC., ET AL., C.A. No. 6:18-00408  
KELLY v. MERCK & CO., INC., ET AL., C.A. No. 6:18-00604  
MALBERG v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00034  
BENCIVENGA v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00156  
BOWMAN, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00434  
STEPHENS v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00512  
DEKER v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00650  
DOLAN v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00651  
MELUCCI v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00695  
BOCKUS v. MERCK & CO., INC., ET AL., C.A. No. 8:18-00715

Northern District of Florida

HIRAM v. MERCK & CO., INC., ET AL., C.A. No. 1:18-00051  
ADAMS v. MERCK & CO., INC., ET AL., C.A. No. 4:18-00155  
SHEPPARD, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 4:18-00200  
GREEN v. MERCK & CO., INC., ET AL., C.A. No. 5:18-00007

Southern District of Florida

ENDRESEN-WORTHY v. MERCK & CO., INC., ET AL., C.A. No. 2:18-14095  
SOROKO v. MERCK & CO., INC., ET AL., C.A. No. 9:18-80021

District of Massachusetts

VERGE v. MERCK & CO., INC., ET AL., C.A. No. 3:18-30036

District of New Jersey

GASPI v. MERCK & CO., INC., ET AL., C.A. No. 2:17-12849  
SMART, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:17-12853  
KIRK v. MERCK & CO., INC., ET AL., C.A. No. 2:17-13689  
GRACE, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:18-01844  
WARD, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:18-03811  
GASPARD v. MERCK & CO., INC., ET AL., C.A. No. 3:17-11483  
SYKES, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 3:17-11657  
SEIGMAN v. MERCK & CO., INC., ET AL., C.A. No. 3:17-12210  
PINKSTAFF, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 3:17-12212  
FARRINGTON v. MERCK & CO., INC., ET AL., C.A. No. 3:17-13496  
TEMPLET, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 3:18-00457  
WAGGONER, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 3:18-00987  
BROWN, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 3:18-02460  
CASSIDY, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 3:18-02527  
GEISHEKER v. MERCK & CO., INC., ET AL., C.A. No. 3:18-02544

Eastern District of New York

BRAVO, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 1:18-00687  
BRUMFIELD, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:17-06526  
ZACCANELLI, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:17-07106  
ALBISANO, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:18-00365  
CLARK, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:18-01592

Eastern District of Pennsylvania

DOTTER, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:16-04686  
ESTATE OF CARMEN RODRIGUEZ v. MERCK & CO., INC., ET AL.,  
C.A. No. 2:17-00485  
BILLECI, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:17-00486  
BENTLEY v. MERCK & CO., INC., ET AL., C.A. No. 2:17-01122  
DOHERTY, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:17-01415  
MOLOUKI v. MERCK & CO., INC., ET AL., C.A. No. 2:17-01983  
ELMEGREEN v. MERCK & CO., INC., ET AL., C.A. No. 2:17-02044

Western District of Pennsylvania

LEE v. MERCK & CO., INC., ET AL., C.A. No. 2:18-00419

Eastern District of Wisconsin

EVERTS, ET AL. v. MERCK & CO., INC., ET AL., C.A. No. 2:18-00020

MDL No. 2849 – **IN RE: STARBUCKS CORPORATION ACCESS FOR INDIVIDUALS  
WITH DISABILITIES LITIGATION**

Motion of defendant Starbucks Corporation to transfer the following actions to the  
United States District Court for the Eastern District of California:

Central District of California

JOHNSON v. STARBUCKS CORPORATION, ET AL., C.A. No. 2:18-00717

Eastern District of California

JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:16-02489  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:16-02792  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:16-02797  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:16-02820  
JOHNSON v. VALLEY MACK PLAZA CO. L.P., ET AL., C.A. No. 2:17-01125  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:17-01718  
JOHNSON v. BRIXTON SHERWOOD, LLC, ET AL., C.A. No. 2:17-02082  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:17-02521  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 2:18-00395

Northern District of California

JOHNSON v. LOS GATOS GATEWAY, LLC, ET AL., C.A. No. 3:16-03495  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 3:16-06792  
JOHNSON v. BLACKHAWK CENTERCAL, LLC, ET AL., C.A. No. 3:17-02454  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 3:17-06836  
JOHNSON v. STARBUCKS CORPORATION, C.A. No. 3:18-01134  
JOHNSON v. GOODHUE, ET AL., C.A. No. 4:16-00724  
JOHNSON v. SEBANC, ET AL., C.A. No. 4:18-00585  
JOHNSON v. WELLS FARGO BANK, NATIONAL ASSOCIATION, ET AL.,  
C.A. No. 4:18-00972  
JOHNSON v. LET IT FLHO, LP, ET AL., C.A. No. 4:18-01293

JOHNSON v. STARBUCKS CORPORATION, C.A. No. 5:18-01595  
JOHNSON v. MONTEREY FISH COMPANY, INC., ET AL., C.A. No. 5:18-01985

MDL No. 2850 – **IN RE: RAILWAY INDUSTRY EMPLOYEE NO-POACH  
ANTITRUST LITIGATION**

Motion of plaintiff Dustin Theobald to transfer the following actions to the United States District Court for the Western District of Pennsylvania:

District of Maryland

ARCURI, ET AL. v. KNORR-BREMSE AG, ET AL., C.A. No. 1:18-01191

Western District of Pennsylvania

CARRUTH v. KNORR-BREMSE AG, ET AL., C.A. No. 2:18-00469  
THEOBALD v. KNORR-BREMSE AG, ET AL., C.A. No. 2:18-00526

MDL No. 2851 – **IN RE: GREAT PLAINS LENDING, LLC, LITIGATION**

Motion of defendant Great Plains Lending, LLC, to transfer certain claims in the following actions to the United States District Court for the Western District of Oklahoma or, in the alternative, the United States District Court for the Northern District of Texas:

Northern District of California

BRICE, ET AL. v. REES, ET AL., C.A. No. 3:18-01200

Middle District of North Carolina

GRANGER, ET AL. v. GREAT PLAINS LENDING, LLC, ET AL.,  
C.A. No. 1:18-00112

Eastern District of Virginia

GIBBS, ET AL. v. PLAIN GREEN, LLC, ET AL., C.A. No. 3:17-00495

MDL No. 2852 – **IN RE: GIANT EAGLE, INC., FAIR LABOR STANDARDS ACT  
(FLSA) LITIGATION**

Motion of defendant Giant Eagle, Inc., to transfer the following actions to the United States District Court for the Western District of Pennsylvania:

Southern District of Indiana

FITCH v. GIANT EAGLE, INC., C.A. No. 1:18-01236

Western District of Pennsylvania

JONES v. GIANT EAGLE, INC., C.A. No. 2:18-00282

MDL No. 2853 – **IN RE: SAMSUNG PLASMA TELEVISION PRODUCTS LIABILITY  
LITIGATION**

Motion of defendants Samsung Electronics America, Inc.; Best Buy Stores, L.P.; Sears Holding Management; and Sears Roebuck and Co. to transfer the following actions to the United States District Court for the District of New Jersey or, in the alternative, the United States District Court for the Northern District of Florida:

Northern District of California

BRONSON v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 3:18-02300

Northern District of Florida

HOWE v. SAMSUNG ELECTRONICS AMERICA, INC., C.A. No. 1:16-00386

Northern District of Illinois

WARE, ET AL. v. BEST BUY STORES, LP, ET AL., C.A. No. 1:18-00886

District of Utah

MCCALLON v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.,  
C.A. No. 2:18-00114

MDL No. 2854 – **IN RE: EXPRESS COURIER INTERNATIONAL, INC., FAIR LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION**

Motion of plaintiffs to transfer the following actions to the United States District Court for the Middle District of Tennessee or the United States District Court for the Southern District of Texas:

Northern District of Alabama

BASCOMB, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 2:18-00064

Eastern District of Arkansas

BARNETTE, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 4:18-00004

Northern District of Florida

MARSHALL, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 4:18-00048

Northern District of Georgia

RYTE, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 1:18-00186

Western District of Kentucky

BELL, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 5:18-00011

Eastern District of Louisiana

CARTER, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 2:18-00156

Eastern District of Missouri

BARBER, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 4:18-00010

Northern District of Mississippi

CAMPBELL, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 3:18-00011

Western District of North Carolina

ALLEN, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 3:18-00028

Northern District of Oklahoma

NICKS, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 4:18-00030

District of South Carolina

BRANDON, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 3:18-00128

Middle District of Tennessee

ACKLIN, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 3:18-00028

Southern District of Texas

ARROYO, ET AL. v. EXPRESS COURIER INTERNATIONAL, INC., ET AL.,  
C.A. No. 4:18-00010

**MDL No. 2855 - IN RE: ABA LAW SCHOOL ACCREDITATION LITIGATION**

Motion of defendants American Bar Association (ABA), The ABA Council of the Section of Legal Education and Admissions to the Bar, and The ABA Accreditation Committee of the Section of Legal Education and Admissions to the Bar to transfer the following actions to the United States District Court for the Western District of North Carolina:

District of Arizona

ARIZONA SUMMIT LAW SCHOOL LLC, ET AL. v. AMERICAN BAR  
ASSOCIATION, ET AL., C.A. No. 2:18-01580

Middle District of Florida

FLORIDA COASTAL SCHOOL OF LAW, INC., ET AL. v. AMERICAN BAR ASSOCIATION, ET AL., C.A. No. 3:18-00621

Western District of North Carolina

CHARLOTTE SCHOOL OF LAW, LLC, ET AL. v. AMERICAN BAR ASSOCIATION, ET AL., C.A. No. 3:18-00256

**MDL No. 2856 - IN RE: LOUISIANA COASTAL ZONE LAND LOSS LITIGATION**

Motion of defendants Chevron U.S.A., Inc.; Chevron U.S.A. Holdings Inc.; The Texas Company; The Union Oil Company of California; Chevron Pipe Line Company; ConocoPhillips Company; Burlington Resources Oil & Gas Company LP; The Louisiana Land and Exploration Company LLC; Exxon Mobil Corporation; Mobil Oil Exploration & Producing Southeast, Inc.; Atlantic Richfield Company; BP America Production Company; and BP Products North America Inc., to transfer the following actions to the United States District Court for the Eastern District of Louisiana:

Eastern District of Louisiana

PLAQUEMINES PARISH, ET AL. v. ROZEL OPERATING COMPANY, ET AL.,  
C.A. No. 2:18-05189  
JEFFERSON PARISH, ET AL. v. DESTIN OPERATING COMPANY, INC., ET AL.,  
C.A. No. 2:18-05206  
PARISH OF PLAQUEMINES, ET AL. v. HILCORP ENERGY COMPANY, ET AL.,  
C.A. No. 2:18-05210  
JEFFERSON PARISH, ET AL. v. ANADARKO E&P ONSHORE, LLC, ET AL.,  
C.A. No. 2:18-05213  
PLAQUEMINES PARISH, ET AL. v. EXCHANGE OIL & GAS CORPORATION,  
ET AL., C.A. No. 2:18-05215  
PLAQUEMINES PARISH v. RIVERWOOD PRODUCTION COMPANY, INC.,  
ET AL., C.A. No. 2:18-05217  
PLAQUEMINES PARISH, ET AL. v. JUNE ENERGY, INC., ET AL.,  
C.A. No. 2:18-05218  
PLAQUEMINES PARISH, ET AL. v. CHEVRON U.S.A., INC., ET AL.,  
C.A. No. 2:18-05220  
ST. BERNARD PARISH, ET AL. v. ATLANTIC RICHFIELD COMPANY, ET AL.,  
C.A. No. 2:18-05222  
JEFFERSON PARISH, ET AL. v. CHEVRON U.S.A. HOLDINGS, INC., ET AL.,  
C.A. No. 2:18-05224



PLAQUEMINES PARISH v. GREAT SOUTHERN OIL & GAS CO., INC., ET AL.,  
C.A. No. 2:18-05227

PLAQUEMINES PARISH v. NORTHCOAST OIL COMPANY, ET AL.,  
C.A. No. 2:18-05228

PLAQUEMINES, ET AL. v. CONOCOPHILLIPS COMPANY, ET AL.,  
C.A. No. 2:18-05230

PLAQUEMINES PARISH, ET AL. v. LINDER OIL COMPANY, ET AL.,  
C.A. No. 2:18-05231

PLAQUEMINES PARISH, ET AL. v. DEVON ENERGY PRODUCTION COMPANY,  
L.P., ET AL., C.A. No. 2:18-05234

PLAQUEMINES PARISH, ET AL. v. GOODRICH PETROLEUM COMPANY, LLC,  
ET AL., C.A. No. 2:18-05238

PLAQUEMINES PARISH v. APACHE OIL CORPORATION, ET AL.,  
C.A. No. 2:18-05240

JEFFERSON PARISH, ET AL. v. EQUITABLE PETROLEUM CORPORATION,  
ET AL., C.A. No. 2:18-05242

JEFFERSON PARISH v. ATLANTIC RICHFIELD COMPANY, ET AL.,  
C.A. No. 2:18-05246

JEFFERSON PARISH v. CANLAN OIL COMPANY, ET AL., C.A. No. 2:18-05252

PLAQUEMINES PARISH v. TOTAL PETROCHEMICALS & REFINING USA,  
INC., ET AL., C.A. No. 2:18-05256

JEFFERSON PARISH v. EXXON MOBIL CORPORATION, ET AL.,  
C.A. No. 2:18-05257

PLAQUEMINES PARISH v. BEPCO, L.P., ET AL., C.A. No. 2:18-05258

PLAQUEMINES PARISH v. PALM ENERGY OFFSHORE, L.L.C., ET AL.,  
C.A. No. 2:18-05259

PLAQUEMINES PARISH v. HELIS OIL & GAS COMPANY, LLC, ET AL.,  
C.A. No. 2:18-05260

PLAQUEMINES PARISH, ET AL. v. CASKIDS OPERATING COMPANY, ET AL.,  
C.A. No. 2:18-05262

PLAQUEMINES PARISH v. HHE ENERGY COMPANY, ET AL.,  
C.A. No. 2:18-05263

PLAQUEMINES PARISH, ET AL. v. CAMPBELL ENERGY CORPORATION,  
ET AL., C.A. No. 2:18-05264

PLAQUEMINES PARISH, ET AL. v. LLOG EXPLORATION & PRODUCTION  
COMPANY, LLC, ET AL., C.A. No. 2:18-05265

Western District of Louisiana

CAMERON PARISH, ET AL. v. AUSTER OIL & GAS, INC., ET AL.,  
C.A. No. 2:18-00677

CAMERON PARISH, ET AL. v. BALLARD EXPLORATION CO., INC., ET AL.,  
C.A. No. 2:18-00678

CAMERON PARISH, ET AL. v. BRAMMER ENGINEERING, INC., ET AL.,  
C.A. No. 2:18-00679  
CAMERON PARISH, ET AL. v. BURLINGTON RESOURCES OIL & GAS CO. LP,  
ET AL., C.A. No. 2:18-00682  
CAMERON PARISH, ET AL. v. ALPINE EXPLORATION COMPANIES, INC.,  
ET AL., C.A. No. 2:18-00684  
CAMERON PARISH, ET AL. v. BAY COQUILLE, INC., ET AL.,  
C.A. No. 2:18-00685  
CAMERON PARISH, ET AL. v. ATLANTIC RICHFIELD CO., ET AL.,  
C.A. No. 2:18-00686  
CAMERON PARISH, ET AL. v. BP AMERICA PRODUCTION COMPANY, ET AL.,  
C.A. No. 2:18-00687  
CAMERON PARISH, ET AL. v. APACHE CORP. OF DELAWARE, ET AL.,  
C.A. No. 2:18-00688  
CAMERON PARISH, ET AL. v. ANADARKO E & P ONSHORE LLC, ET AL.,  
C.A. No. 2:18-00689  
CAMERON PARISH, ET AL. v. BEPCO, L.P., ET AL., C.A. No. 2:18-00690  
STUTES, ET AL. v. GULFPORT ENERGY CORP., ET AL.,  
C.A. No. 6:18-00691

MDL No. 2857 – **IN RE: CREDIT SUISSE VELOCITYSHARES DAILY INVERSE VIX  
SHORT TERM EXCHANGE TRADED NOTES SECURITIES  
LITIGATION**

Motion of defendants Credit Suisse AG, Credit Suisse Group AG, David R. Mathers, Tidjane Thiam, and Janus Index & Calculation Services LLC, to transfer the following actions to the United States District Court for the Southern District of New York:

Northern District of Alabama

HALBERT, ET AL. v. CREDIT SUISSE AG, ET AL., C.A. No. 2:18-00615

Southern District of New York

CHAHAL v. CREDIT SUISSE GROUP AG, ET AL., C.A. No. 1:18-02268

EISENBERG v. CREDIT SUISSE AG, ET AL., C.A. No. 1:18-02319

QIU v. CREDIT SUISSE AG, ET AL., C.A. No. 1:18-04045

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

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

Opposition of plaintiff Elaine Gift to transfer of the following action to the United States District Court for the Northern District of Indiana:

Northern District of Illinois

GIFT v. BIOMET, INC. D/B/A ZIMMER BIOMET, ET AL., C.A. No. 3:18-50132

MDL No. 2504 – **IN RE: AMAZON.COM, INC., FULFILLMENT CENTER FAIR  
LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR  
LITIGATION**

Motions of defendants Amazon Fulfillment Services, Inc.; Amazon.com, Inc.; and Golden State FC LLC to transfer the following actions to the United States District Court for the Western District of Kentucky:

Central District of California

HAGMAN, ET AL. v. AMAZON FULFILLMENT SERVICES, INC., ET AL.,  
C.A. No. 5:18-00024

Eastern District of California

TREVINO v. GOLDEN STATE FC LLC, ET AL., C.A. No. 1:18-00120

MDL No. 2591 – **IN RE: SYNGENTA AG MIR162 CORN LITIGATION**

Opposition of plaintiffs Kenneth P. Kellogg, et al., to transfer of the following action to the United States District Court for the District of Kansas:

District of Minnesota

KELLOGG, ET AL. v. WATTS GUERRA, LLP, ET AL., C.A. No. 0:18-01082

**MDL No. 2599 – IN RE: TAKATA AIRBAG PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Yossi Shimshi, Mitra Bazzal, Abraham Hirschel, and Joshua Kopple to transfer of their respective following actions to the United States District Court for the Southern District of Florida:

Central District of California

SHIMSHI v. TOYOTA MOTOR SALES, USA, INC., C.A. No. 2:18-02432  
BAZZAL v. TOYOTA MOTOR SALES, USA, INC., ET AL., C.A. No. 2:18-02437  
HIRSCHEL, ET AL. v. TOYOTA MOTOR SALES U.S.A., INC., ET AL.,  
C.A. No. 2:18-02454  
KOPPLE v. TOYOTA MOTOR SALES, USA, INC., ET AL., C.A. No. 2:18-02460

**MDL No. 2642 – IN RE: FLUOROQUINOLONE PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Angela Renee Kester to transfer of the following action to the United States District Court for the District of Minnesota:

Eastern District of Oklahoma

KESTER v. JANSSEN SCIENTIFIC AFFAIRS, C.A. No. 6:18-00041

**MDL No. 2672 – IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Wright Law Aspen, LLP to transfer of the following action to the United States District Court for the Northern District of California:

District of Colorado

WRIGHT LAW ASPEN, LLP v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
ET AL., C.A. No. 1:18-00973

MDL No. 2734 – **IN RE: ABILIFY (ARIPRAZOLE) PRODUCTS LIABILITY LITIGATION**

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

Central District of California

WYLE, ET AL. v. BRISTOL–MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 2:18–03753

Northern District of California

DAVIS, ET AL. v. BRISTOL–MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 4:18–02584

GREEN, ET AL. v. BRISTOL–MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 4:18–02588

EVANS, ET AL. v. BRISTOL–MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 4:18–02614

District of Nevada

JOHNSON, ET AL. v. BRISTOL–MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 3:18–00143

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

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 Illinois

CABEZA v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02091

LEACH v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02095

LYMAN III v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02123

TORRES v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02126

GOMES v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02130

SCHULTZ v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02206

COHN v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18–02262

JONES v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18-02281  
O'HALLORAN v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18-02410

Southern District of Illinois

MIHALICH v. JOHNSON & JOHNSON CONSUMER, INC., C.A. No. 3:18-01027

Eastern District of New York

JIMINEZ v. DUANE READE, INC., ET AL., C.A. No. 1:18-02152

MDL No. 2782 – **IN RE: ETHICON PHYSIOMESH FLEXIBLE COMPOSITE HERNIA  
MESH PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs William Perry Newhouse, et al., and defendants Johnson & Johnson; Ethicon Endo-Surgery, Inc.; and Ethicon, Inc., to transfer of the following action to the United States District Court for the Northern District of Georgia:

Southern District of West Virginia

NEWHOUSE, ET AL. v. ETHICON, INC., ET AL., C.A. No. 2:17-02735

MDL No. 2800 – **IN RE: EQUIFAX, INC., CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Oppositions of plaintiffs Jose D. Iraheta and Valerie D. Morgan to transfer of their respective following actions to the United States District Court for the Northern District of Georgia:

Western District of Louisiana

IRAHETA v. EQUIFAX INFORMATION SERVICES LLC, ET AL.,  
C.A. No. 5:17-01363

Eastern District of Virginia

MORGAN v. EQUIFAX INC., C.A. No. 3:18-00173

MDL No. 2804 – **IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

Oppositions of certain plaintiffs and defendants Paul Madison; Mylan Pharmaceuticals Inc.; Aurolife Pharma LLC; Cross Lanes Family Pharmacy, Inc.; MRNB, Inc.; and American Pain Society, Inc., to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Southern District of Alabama

AMERICAN RESOURCES INSURANCE COMPANY, INC. v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:18-00145

Central District of California

MASOUD BAMDAD, M.D. v. PURDUE PHARMA L.P., ET AL.,  
C.A. No. 2:18-03662  
BURNS v. PURDUE PHARMA L.P., ET AL., C.A. No. 8:18-00745

Northern District of California

ROBINSON RANCHERIA v. MCKESSON CORPORATION, ET AL.,  
C.A. No. 3:18-02525  
HOPLAND BAND OF POMO INDIANS v. MCKESSON CORPORATION, ET AL.,  
C.A. No. 3:18-02528  
SCOTTS VALLEY BAND OF POMO INDIANS v. MCKESSON CORPORATION,  
ET AL., C.A. No. 3:18-02529  
ROUND VALLEY INDIAN TRIBES, ET AL. v. MCKESSON CORPORATION,  
ET AL., C.A. No. 3:18-02530  
REDWOOD VALLEY OR LITTLE RIVER BAND OF POMO INDIANS OF THE  
REDWOOD VALLEY RANCHERIA v. MCKESSON CORPORATION, ET AL.,  
C.A. No. 3:18-02531  
GUIDIVILLE RANCHERIA OF CALIFORNIA v. MCKESSON CORPORATION,  
ET AL., C.A. No. 3:18-02532  
COYOTE VALLEY BAND OF POMO INDIANS v. MCKESSON CORPORATION,  
ET AL., C.A. No. 3:18-02533  
CONSOLIDATED TRIBAL HEALTH PROJECT, INC. v. MCKESSON  
CORPORATION, ET AL., C.A. No. 3:18-02534  
CENTER POINT, INC. v. MCKESSON CORPORATION, ET AL.,  
C.A. No. 3:18-02535  
BIG VALLEY BAND OF POMO INDIANS OF THE BIG VALLEY RANCHERIA v.  
MCKESSON CORPORATION, ET AL., C.A. No. 3:18-02536

BIG SANDY RANCHERIA OF WESTERN MONO INDIANS v. MCKESSON  
CORPORATION, ET AL., C.A. No. 3:18-02537  
CHU v. PURDUE PHARMA L.P., ET AL., C.A. No. 3:18-02576

Northern District of Illinois

RIVERS v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:18-03116

Northern District of Indiana

CITY OF GARY, INDIANA v. PURDUE PHARMA, L.P., ET AL.,  
C.A. No. 2:18-00117

Eastern District of Kentucky

ATTORNEY GENERAL v. AMERISOURCEBERGEN DRUG CORPORATION,  
ET AL., C.A. No. 7:18-00050

Western District of Kentucky

COMMONWEALTH OF KENTUCKY v. CARDINAL HEALTH 5, LLC, ET AL.,  
C.A. No. 3:18-00184

District of Massachusetts

GRACE v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:18-10857

Northern District of Mississippi

NORTH MISSISSIPPI MEDICAL CENTER, INC., ET AL. v. MCKESSON  
CORPORATION, C.A. No. 1:18-00078

District of New Jersey

COUNTY OF HUDSON v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:18-09029  
SARDELLA v. PURDUE PHARMA L.P., ET AL., C.A. No. 3:18-08706

Southern District of New York

KLODZINSKI v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:18-03927



Eastern District of Pennsylvania

THE CITY OF NEW CASTLE, ET AL. v. PURDUE PHARMA, L.P., ET AL.,  
C.A. No. 2:18-01472

Southern District of West Virginia

THE COUNTY COMMISSION OF MINGO COUNTY v. PURDUE PHARMA, L.P.,  
ET AL., C.A. No. 2:18-00476  
BURTON, ET AL. v. PURDUE PHARMA, L.P., ET AL., C.A. No. 2:18-00478  
CITY OF HUNTINGTON, WEST VIRGINIA, ET AL. v. EXPRESS SCRIPTS  
HOLDING COMPANY, ET AL., C.A. No. 2:18-00580

Western District of Wisconsin

LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS v.  
MCKESSON CORPORATION, ET AL., C.A. No. 3:18-00286

MDL No. 2827 – **IN RE: APPLE INC. DEVICE PERFORMANCE LITIGATION**

Opposition of plaintiff Carter Donahoe to transfer of the following action to the United  
States District Court for the Northern District of California:

Northern District of Ohio

DONAHOE v. APPLE, INC., C.A. No. 1:18-00763

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.