

**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: **September 26, 2019**

LOCATION OF HEARING SESSION: United States Courthouse
Courtroom 1, Mezzanine Level
350 West 1st Street
Los Angeles, California 90012

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:

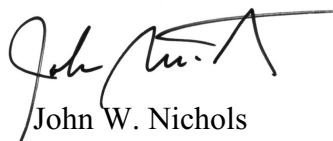
- The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions including those concerning an appropriate transferee district. Any change in position should 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 **September 9, 2019**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

cc: Clerk, United States District Court for the Central District of California

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on September 26, 2019, the Panel will convene a hearing session in Los Angeles, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

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

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(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



Sarah S. Vance
Chair

Lewis A. Kaplan	Ellen Segal Huvelle
R. David Proctor	Catherine D. Perry
Karen K. Caldwell	Nathaniel M. Gorton

SCHEDULE OF MATTERS FOR HEARING SESSION
September 26, 2019 -- Los Angeles, California

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. 2906 – IN RE: BIG PICTURE LOANS, LLC, LITIGATION

Motion of plaintiffs Lula Williams, et al., and Renee Galloway, et al., to transfer the following actions to the United States District Court for the Eastern District of Virginia:

Central District of California

KOBIN v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 2:19-02842

Northern District of California

CUMMING, ET AL. v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 5:18-03476

Northern District of Georgia

MCKOY, ET AL. v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 1:18-03217

District of Massachusetts

DUGGAN v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 1:18-12277

District of Oregon

SMITH v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 3:18-01651

Eastern District of Virginia

WILLIAMS, ET AL. v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 3:17-00461
GALLOWAY, ET AL. v. BIG PICTURE LOANS, LLC, ET AL., C.A. No. 3:18-00406
GALLOWAY, ET AL. v. MARTORELLO, ET AL., C.A. No. 3:19-00314

MDL No. 2907 – **IN RE: FIRST AMERICAN FINANCIAL CORPORATION
CUSTOMER DATA SECURITY BREACH LITIGATION**

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

Central District of California

SINDAGHATTA v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 2:19-06576
GRITZ v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01009
SHAKIB v. FIRST AMERICAN FINANCIAL CORPORATION, C.A. No. 8:19-01022
WILLIS v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01023
BAHNMAIER v. FIRST AMERICAN FINANCIAL CORPORATION,
C.A. No. 8:19-01040
TOPPINGS PATH HOLDING, LLC v. FIRST AMERICAN FINANCIAL
CORPORATION, ET AL., C.A. No. 8:19-01051
BARAJAS, ET AL. v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01078
MOHR v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01102
DINH v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01105
BRENT AND TERI JOHNSON, LLC v. FIRST AMERICAN FINANCIAL
CORPORATION, ET AL., C.A. No. 8:19-01112
RESENDIZ v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01137
WOODARD v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01156
FORNEY, ET AL. v. FIRST AMERICAN FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01180

Eastern District of Michigan

KUNTZ v. FIRST AMERICAN FINANCIAL CORPORATION, C.A. No. 2:19-11749

MDL No. 2908 – **IN RE: AIR CRASH NEAR EJERE, ETHIOPIA, ON MARCH 10, 2019**

Motion of defendant The Boeing Company to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

IN RE: ETHIOPIAN AIRLINES FLIGHT ET 302 CRASH, C.A. No. 1:19-02170
STUMO, ET AL. v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02281
HAMMAMY, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-02322
ABDI v. THE BOEING COMPANY, C.A. No. 1:19-02348
KARURI, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-02531
KONDAVEETI v. THE BOEING COMPANY, C.A. No. 1:19-02597
CARRASCO, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-02709
MUNGAI v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02770
VAIDYA v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02839
VAIDYA v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02840
VAIDYA v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02841
NJOROGE v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02842
NJOROGE v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02843
NJOROGE v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02844
NJOROGE v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02846
VAIDYA v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02847
VAIDYA, ET AL. v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02848
VAIDYA, ET AL. v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02849
SPINI v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02969
SPINI v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-02971
K'OBIEN, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-03285
MAIRESSE v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-03297
CHIMENTI v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-03298
KONARSKI v. THE BOEING COMPANY, C.A. No. 1:19-03381
SEEX, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-03392
DZIURAWIEC-DUDA v. THE BOEING COMPANY, C.A. No. 1:19-03506
GITELSON v. THE BOEING COMPANY, C.A. No. 1:19-03525
CONNOLLY v. THE BOEING COMPANY, C.A. No. 1:19-03540
KARANJA v. THE BOEING COMPANY, C.A. No. 1:19-03668
JESSE v. THE BOEING COMPANY, C.A. No. 1:19-03669
KIMITI v. THE BOEING COMPANY, C.A. No. 1:19-03671
CHAFI v. THE BOEING COMPANY, C.A. No. 1:19-03677
ADESANMI v. THE BOEING COMPANY, C.A. No. 1:19-03740
LACROIX v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-03751
EGAL v. THE BOEING COMPANY, C.A. No. 1:19-03819
GATHUMBI, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-03820

HRNKO v. THE BOEING COMPANY, C.A. No. 1:19-03822
HRNKO v. THE BOEING COMPANY, C.A. No. 1:19-03823
HRNKO v. THE BOEING COMPANY, C.A. No. 1:19-03824
RIFFEL, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-03844
RIFFEL v. THE BOEING COMPANY, C.A. No. 1:19-03845
MOORE, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-03846
GEBLER-REEM v. THE BOEING COMPANY, C.A. No. 1:19-03901
MUTURI v. THE BOEING COMPANY, ET AL., C.A. No. 1:19-03927
YAKOB v. THE BOEING COMPANY, C.A. No. 1:19-03965
MWASHI, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-04004
CHERUIYOT v. THE BOEING COMPANY, C.A. No. 1:19-04009
FRENCH, ET AL. v. THE BOEING COMPANY, C.A. No. 1:19-04027

District of South Carolina

THUGGE, ET AL. v. THE BOEING COMPANY, C.A. No. 2:19-01443
VDOVIC, ET AL. v. THE BOEING COMPANY, C.A. No. 2:19-01455
MATSLIAH v. THE BOEING COMPANY, C.A. No. 2:19-01594

MDL No. 2909 – **IN RE: FAIRLIFE MILK PRODUCTS MARKETING AND SALES
PRACTICES LITIGATION**

Motion of plaintiff Eliana Salzhauer to transfer the following actions to the United States District Court for the Northern District of Georgia or, in the alternative, the United States District Court for the Northern District of Illinois:

Northern District of Georgia

SALZHAUER v. THE COCA-COLA COMPANY, ET AL., C.A. No. 1:19-02709

Northern District of Illinois

MICHAEL v. FAIRLIFE, LLC, ET AL., C.A. No. 1:19-03924
SCHWARTZ, ET AL. v. FAIRLIFE, LLC, C.A. No. 1:19-03929

Northern District of Indiana

SABEEHULLAH, ET AL. v. FAIRLIFE LLC, ET AL., C.A. No. 2:19-00222

MDL No. 2911 – **IN RE: CAMP LEJEUNE, NORTH CAROLINA, WATER
CONTAMINATION LITIGATION (NO. II)**

Motion of defendant United States of America to transfer the following actions to the
United States District Court for the Northern District of Georgia:

Northern District of Georgia

CARTER, ET AL. v. UNITED STATES OF AMERICA, C.A. No. 1:19-02787

District of New Hampshire

PHILLIPS v. US GOVERNMENT, ET AL., C.A. No. 1:19-00128

Eastern District of North Carolina

COUNCIL v. U.S. NAVY, ET AL., C.A. No. 5:19-00097

BUNTING v. DEPARTMENT OF THE NAVY, ET AL., C.A. No. 7:19-00067

FAIN v. UNITED STATES, C.A. No. 7:19-00109

WASHINGTON v. DEPARTMENT OF THE NAVY, C.A. No. 7:19-00112

HURDLE v. CAMP LEJEUNE, USMC, ET AL., C.A. No. 7:19-00115

MDL No. 2912 – **IN RE: PALBOCICLIB PATENT LITIGATION**

Motion of plaintiffs Pfizer, Inc., et al., to transfer the following actions to the United
States District Court for the District of Delaware:

District of Delaware

PFIZER, INC., ET AL. v. AIZANT DRUG RESEARCH SOLUTIONS PVT. LTD.,
C.A. No. 1:19-00743

PFIZER, INC., ET AL. v. ALEMBIC PHARMACEUTICALS, INC., ET AL.,
C.A. No. 1:19-00745

PFIZER, INC., ET AL. v. APOTEX INC., ET AL., C.A. No. 1:19-00747

PFIZER, INC., ET AL. v. AUROBINDO PHARMA, LTD., ET AL.,
C.A. No. 1:19-00748

PFIZER, INC., ET AL. v. CIPLA USA INC., ET AL., C.A. No. 1:19-00749

PFIZER, INC., ET AL. v. DR. REDDY'S LABORATORIES, INC., ET AL.,
C.A. No. 1:19-00750

PFIZER, INC., ET AL. v. HETERO USA, INC., ET AL., C.A. No. 1:19-00751

PFIZER, INC., ET AL. v. MYLAN PHARMACEUTICALS INC., ET AL.,
C.A. No. 1:19-00752

PFIZER, INC., ET AL. v. NATCO PHARMA, INC., ET AL., C.A. No. 1:19-00753

PFIZER, INC., ET AL. v. QILU PHARMA, INC., ET AL., C.A. No. 1:19-00754
PFIZER, INC., ET AL. v. SUN PHARMACEUTICAL INDUSTRIES, LTD., ET AL.,
C.A. No. 1:19-00758
PFIZER, INC., ET AL. v. TEVA PHARMACEUTICALS USA, INC., ET AL.,
C.A. No. 1:19-00759
PFIZER, INC., ET AL. v. ZYDUS PHARMACEUTICALS (USA) INC., ET AL.,
C.A. No. 1:19-00760

Northern District of West Virginia

PFIZER, INC., ET AL. v. MYLAN PHARMACEUTICALS INC., ET AL.,
C.A. No. 1:19-00097

MDL No. 2913 – **IN RE: JUUL LABS, INC., MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION**

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

Middle District of Alabama

WEST v. JUUL LABS, INC., ET AL., C.A. No. 2:19-00505
HELMS v. JUUL LABS, INC., ET AL., C.A. No. 2:19-00527

Northern District of California

COLGATE, ET AL. v. JUUL LABS, INC., ET AL., C.A. No. 3:18-02499
Y., ET AL. v. JUUL LABS, INC., C.A. No. 3:18-06776
VISCOMI, ET AL. v. JUUL LABS, INC., ET AL., C.A. No. 3:18-06808
ZAMPA v. JUUL LABS, INC., C.A. No. 3:19-02466
SWEARINGEN, ET AL. v. JUUL LABS, INC., ET AL., C.A. No. 4:19-04424

Middle District of Florida

NESSMITH, ET AL. v. ALTRIA GROUP, INC., ET AL., C.A. No. 8:19-00884

Southern District of Florida

SHAPIRO, ET AL. v. ALTRIA GROUP, INC., ET AL., C.A. No. 0:19-61548

Southern District of New York

D.P. v. JUUL LABS, INC., ET AL., C.A. No. 7:18-05758

MDL No. 2914 – **IN RE: ERMI LLC ('289) PATENT LITIGATION**

Motion of ERMI LLC to transfer the following actions to the United States District Court for the Southern District of Florida:

Southern District of California

ERMI LLC v. SPORTSTEK MEDICAL, INC., ET AL., C.A. No. 3:19-00608

Southern District of Florida

ERMI LLC v. TEAM POST OP, INC., ET AL., C.A. No. 0:19-60851

Northern District of Georgia

ONEDIRECT HEALTH NETWORK, INC. v. ERMI LLC, C.A. No. 1:19-01527

Northern District of Illinois

ERMI LLC v. GRAYMONT EQUIPMENT DISTRIBUTION, LLC, ET AL.,
C.A. No. 1:19-02217

Eastern District of Michigan

ERMI LLC v. DETROIT MEDICAL DEVICES, LLC, ET AL., C.A. No. 2:19-10966

Eastern District of North Carolina

ERMI LLC v. NORTHSTATE SURGICAL DEVICES, LLC, ET AL.,
C.A. No. 5:19-00124

Western District of Washington

ERMI LLC v. INTERNATIONAL REHABILITATIVE SCIENCES, INC.,
C.A. No. 3:19-05246

MDL No. 2915 – **IN RE: CAPITAL ONE CONSUMER DATA SECURITY BREACH LITIGATION**

Motion of plaintiff Michael Fadullon to transfer the following actions to the United States District Court for the Western District of Washington and motion of plaintiffs Kevin Zosiac; Akram Tadrous; Paul Berger, et al.; Lara Greenstein; and Eliyahu Lipskar to transfer the following actions to the United States District Court for the District of Columbia:

Central District of California

LABAJO, ET AL. v. CAPITAL ONE BANK (USA), N.A., ET AL.,
C.A. No. 5:19-01431

Northern District of California

FISHER, ET AL. v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 3:19-04485
ABALLO, ET AL. v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 4:19-04475

Southern District of California

PERDEW v. CAPITAL ONE BANK (USA), N. A., C.A. No. 3:19-01421

District of District of Columbia

ZOSIAK v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-02265
TADROUS v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-02292
BERGER, ET AL. v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-02298
GREENSTEIN v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-02307
LIPSKAR v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-02328

Middle District of Florida

FRANCIS v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 8:19-01898

Northern District of Illinois

RUFFINO v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-05234

District of Kansas

HARN v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 2:19-02441

Eastern District of New York

HUN v. CAPITAL ONE FINANCIAL CORPORATION, ET AL., C.A. No. 1:19-04436

Southern District of New York

HOWITT v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:19-07161

Eastern District of Pennsylvania

VEVERKA v. CAPITAL ONE, N.A., ET AL., C.A. No. 2:19-03461

Eastern District of Virginia

BAIRD v. CAPITAL ONE FINANCIAL CORPORATION, C.A. No. 1:19-00979

MCDONOUGH v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,

C.A. No. 1:19-00984

ANTHONY v. CAPITAL ON., N.A., ET AL., C.A. No. 1:19-00993

HILKER v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,

C.A. No. 1:19-00995

Western District of Washington

FADULLON v. CAPITAL ONE FINANCIAL CORPORATION, ET AL.,

C.A. No. 2:19-01189

OUELLETTE, ET AL. v. CAPITAL ONE FINANCIAL CORPORATION,

ET AL., C.A. No. 2:19-01203

MDL No. 2916 – **IN RE: SKYWEST AIRLINES, INC., FLIGHT ATTENDANT FAIR
LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR
LITIGATION**

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

Northern District of California

WILSON, ET AL. v. SKYWEST AIRLINES, INC., ET AL., C.A. No. 3:19-01491

Northern District of Illinois

HIRST, ET AL. v. SKYWEST AIRLINES, INC., ET AL., C.A. No. 1:15-02036
TAPP, ET AL., v. SKYWEST INC., ET AL., C.A. No. 1:15-11117

MDL No. 2917 – **IN RE: AIR CRASH NEAR ELLABELL, GEORGIA, ON AUGUST
28, 2017**

Motion of plaintiffs John Hartwell Cocke, et al., to transfer the following actions to the
United States District Court for the Southern District of Georgia:

District of Delaware

COCKE, ET AL. v. CONTINENTAL MOTORS, INC., C.A. No. 1:19-01420
HUNTER, ET AL. v. CONTINENTAL MOTORS, INC., C.A. No. 1:19-01447

Southern District of Georgia

COCKE, ET AL. v. CONTINENTAL MOTORS, INC., ET AL., C.A. No. 4:19-00169
HUNTER, ET AL. v. CONTINENTAL MOTORS, INC., ET AL., C.A. No. 4:19-00174

District of Nebraska

COCKE, ET AL. v. WHISLER AVIATION, INC., ET AL., C.A. No. 8:19-00335
HUNTER, ET AL. v. WHISLER AVIATION, INC., ET AL., C.A. No. 8:19-00339

MDL No. 2918 – **IN RE: HARD DISK DRIVE SUSPENSION ASSEMBLIES ANTITRUST LITIGATION**

Motion of plaintiff Ferzula Elmazi to transfer the following actions to the United States District Court for the Eastern District of Michigan:

Eastern District of Michigan

INTEGRITY FINANCIAL SERVICES OF TAMPA BAY, INC., ET AL. v. NHK
SPRING CO. LTD., ET AL., C.A. No. 2:19-12258
CMP CONSULTING SERVICES, INC. v. NHK SPRING CO. LTD., ET AL.,
C.A. No. 2:19-12337
ELMAZI v. TDK CORPORATION, ET AL., C.A. No. 3:19-12244

Southern District of New York

CIMINO, ET AL. v. HEADWAY TECHNOLOGIES, INC., ET AL.,
C.A. No. 1:19-07428

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

Opposition of plaintiff Daryl Wietzema to transfer of the following action to the United States District Court for the District of Minnesota:

District of North Dakota

WIETZEMA v. JANSSEN PHARMACEUTICALS, INC., ET AL.,
C.A. No. 3:19-00067

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

Oppositions of plaintiffs Gemma Dura Sambti; Mayra Wainscott; and Allan Palmer, et al., to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Northern District of California

SAMBTI v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:19-03715

Southern District of California

WAINSCOTT v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:19-01160

Northern District of Illinois

PALMER, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:19-03731

MDL No. 2741 – IN RE: ROUNDUP PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs Edward Okamoto, et al.; Richard D. Mayer, et al.; and Roland Trosclair, Jr., to transfer of their respective following actions to the United States District Court for the Northern District of California:

District of Hawaii

OKAMOTO, ET AL. v. MONSANTO COMPANY, C.A. No. 1:19-00330

MAYER, ET AL. v. MONSANTO COMPANY, C.A. No. 1:19-00331

Eastern District of Louisiana

TROSCLAIR v. MONSANTO COMPANY, ET AL., C.A. No. 2:19-10689

MDL No. 2768 – **IN RE: STRYKER LFIT V40 FEMORAL HEAD PRODUCTS
LIABILITY LITIGATION**

Opposition of plaintiffs Lester Denninger, et al., to transfer of the following action to the United States District Court for the District of Massachusetts:

Southern District of Illinois

DENNINGER, ET AL. v. ANDERSON, ET AL., C.A. No. 3:19-00665

MDL No. 2797 – **IN RE: WELLS FARGO AUTO INSURANCE MARKETING AND
SALES PRACTICES LITIGATION**

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

Western District of Michigan

KARPOWSKI v. WELLS FARGO DEALER SERVICES, C.A. No. 1:19-00363

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

Opposition of plaintiff Michael Duanne Johnston to transfer of the following action to the United States District Court for the Northern District of Georgia:

District of New Mexico

JOHNSTON v. EQUIFAX, C.A. No. 2:19-00485

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

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

District of Hawaii

COUNTY OF KAUAI v. CVS HEALTH CORPORATION, ET AL.,
C.A. No. 1:19-00377

Eastern District of Michigan

CHARTER TOWNSHIP OF HARRISON v. THE PAIN CENTER USA, PLLC, ET AL.,
C.A. No. 2:19-11681
CITY OF STERLING HEIGHTS v. THE PAIN CENTER USA, PLLC, ET AL.,
C.A. No. 2:19-11685
CITY OF WARREN v. THE PAIN CENTER USA, PLLC, ET AL.,
C.A. No. 2:19-11687

Eastern District of Missouri

WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH) v. MALLINCKRODT BRAND
PHARMACEUTICALS, INC., ET AL., C.A. No. 4:19-01654
ST. FRANCOIS COUNTY v. DANNIE E. WILLIAMS, M.D., ET AL.,
C.A. No. 4:19-01722
THE CHEROKEE NATION v. MALLINCKRODT PLC, ET AL., C.A. No. 4:19-01911

District of New Jersey

COUNTY OF BURLINGTON v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 1:19-13684

Eastern District of New York

THE CITY OF AUBURN v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:19-03800

Northern District of New York

THE CITY OF SARATOGA SPRINGS v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 1:19-00789
THE CITY OF OGDENSBURG v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 8:19-00782

Western District of New York

THE CITY OF ROCHESTER v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 6:19-06490

Northern District of Oklahoma

CITY OF JENKS v. PURDUE PHARMA L.P., ET AL., C.A. No. 4:19-00380

Southern District of Texas

ROCKWALL COUNTY, TX v. CVS HEALTH CORPORATION, C.A. No. 4:19-02181
ELLIS COUNTY v. WALGREENS BOOTS ALLIANCE, INC., ET AL.,
C.A. No. 4:19-02256
COUNTY OF DUVAL v. CVS HEALTH CORPORATION, C.A. No. 4:19-02504

Eastern District of Virginia

LOUDOUN COUNTY, VIRGINIA v. PURDUE PHARMA, L.P., ET AL.,
C.A. No. 1:19-00778
CITY OF PORTSMOUTH v. MCKESSON CORPORATION, ET AL.,
C.A. No. 2:19-00331
CITY OF FREDERICKSBURG, VIRGINIA v. PURDUE PHARMA, L.P., ET AL.,
C.A. No. 3:19-00457
PRINCE GEORGE COUNTY, VIRGINIA v. PURDUE PHARMA, L.P., ET AL.,
C.A. No. 3:19-00458
GREENSVILLE COUNTY, v. V. PURDUE PHARMA, L.P., ET AL.,
C.A. No. 3:19-00459
CITY OF EMPORIA, VIRGINIA v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 3:19-00513

Western District of Virginia

CULPEPER COUNTY, VIRGINIA v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 3:19-00037
CHARLOTTE COUNTY, VIRGINIA v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 4:19-00029

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

Opposition of plaintiff Donald J. Meuchel to transfer of the following action to the United States District Court for the Southern District of Ohio:

District of Montana

MEUCHAL v. DAVOL, INC., ET AL., C.A. No. 9:19-00116

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.¹

(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.