

**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 27, 2018**

LOCATION OF HEARING SESSION: Phillip Burton United States Courthouse  
Ceremonial Courtroom, 19th Floor  
450 Golden Gate Avenue  
San Francisco, California 94102

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 10, 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 Northern 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 27, 2018, the Panel will convene a hearing session in San Francisco, 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



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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  
September 27, 2018 -- San Francisco, 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. 2858 – IN RE: JUMPSPORT, INC., ('845 & '207) PATENT LITIGATION**

Motion of defendants WalMart, Inc.; Wal-Mart Stores East, LP; Wal-Mart Stores Texas, LLC; Wal-Mart.com USA, LLC; Sam's East, Inc.; Sam's West, Inc.; Dick's Sporting Goods, Inc.; American Sports Licensing, LLC; Dick's Merchandising & Supply Chain, Inc.; Amazon.com; Amazon.com LLC; Academy, Ltd.; BJ's Wholesale Club, Inc.; J. C. Penney Company, Inc.; J. C. Penney Corporation, Inc.; J. C. Penney Purchasing Corporation; and JCP Logistics, Inc., to transfer the following actions to the United States District Court for the Eastern District of Texas:

Northern District of Georgia

JUMPSPORT, INC. v. J.C. PENNEY COMPANY, INC., ET AL., C.A. No. 1:18-01598  
JUMPSPORT, INC. v. BJ'S WHOLESALE CLUB, INC., C.A. No. 1:18-01689

Eastern District of Texas

JUMPSPORT, INC. v. ACADEMY, LTD DBA ACADEMY SPORTS & OUTDOORS,  
C.A. No. 6:17-00414  
JUMPSPORT, INC. v. WAL-MART STORES, INC., ET AL., C.A. No. 6:17-00645  
JUMPSPORT, INC. v. DICK'S SPORTING GOODS, INC., ET AL.,  
C.A. No. 6:17-00663  
JUMPSPORT, INC. v. AMAZON.COM, INC., ET AL., C.A. No. 6:17-00666

MDL No. 2859 – **IN RE: ZIMMER M/LTAPER HIP PROSTHESIS OR M/L TAPER HIP PROSTHESIS WITH KINECTIV TECHNOLOGY AND VERSYS FEMORAL HEAD PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Elizabeth Hackett, et al., and David Pastor to transfer the following actions to the United States District Court for the District of Minnesota:

District of Alaska

HICKEY, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 3:16-00045  
DERIFIELD, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 3:18-00021

Northern District of California

ROBERTS v. ZIMMER BIOMET, INC., ET AL., C.A. No. 4:18-03564

Middle District of Florida

HEINEMAN v. ZIMMER BIOMET, INC., ET AL., C.A. No. 8:17-02420

District of Maine

MILLER, ET AL. v. ZIMMER BIOMET, INC., ET AL., C.A. No. 2:17-00265  
LLOYD, ET AL. v. ZIMMER BIOMET HOLDINGS, INC., ET AL.,  
C.A. No. 2:17-00352  
MYRICK v. ZIMMER, INC., ET AL., C.A. No. 2:17-00480  
WALDEIER v. ZIMMER BIOMET HOLDINGS, INC., ET AL., C.A. No. 2:18-00004  
PRIDE, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 2:18-00108  
GRAHAM-FORTIN v. ZIMMER BIOMET HOLDINGS, INC., ET AL.,  
C.A. No. 2:18-00204

Eastern District of Michigan

PASTOR v. ZIMMER, INC., ET AL., C.A. No. 2:18-11461

District of Minnesota

HOLLENKAMP, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 0:18-01304  
LAUKKA, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 0:18-01305  
METZGER, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 0:18-01310  
NESS, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 0:18-01326  
HARMS, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 0:18-01378  
HACKETT, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 0:18-01407

Eastern District of New York

VIANIA v. ZIMMER, INC., ET AL., C.A. No. 2:17-01641

Southern District of New York

SHAW v. ZIMMER, INC., ET AL., C.A. No. 1:17-02119

LUCKASAVAGE, ET AL. v. ZIMMER, INC., ET AL., C.A. No. 1:17-07451

Eastern District of Pennsylvania

ADAMS v. ZIMMER US, INC., ET AL., C.A. No. 5:17-00621

Eastern District of Wisconsin

LIESCH, ET AL. v. ZIMMER BIOMET HOLDINGS, INC., ET AL.,  
C.A. No. 1:17-01036

MDL No. 2860 – **IN RE: MANETIRONY CLERVRAIN LITIGATION**

Motion of plaintiff Manetirony Clervrain to transfer the following actions to the United States District Court for the District of Columbia:

Eastern District of California

CLERVRAIN v. MITCHELL, C.A. No. 2:18-01716

Southern District of Georgia

CLERVRAIN v. STONE, ET AL., C.A. No. 3:18-00028

CLERVRAIN v. JOHNS, C.A. No. 5:18-00038

District of Kansas

CLERVRAIN v. UNITED STATES OF AMERICA, ET AL., C.A. No. 5:17-03194

CLERVRAIN v. SESSIONS, ET AL., C.A. No. 5:18-03039

Southern District of Mississippi

CLERVRAIN v. JULIAN, ET AL., C.A. No. 5:18-00051

Western District of Pennsylvania

CLERVRAIN v. KUTA, C.A. No. 3:18-00083

Eastern District of Texas

CLERVRAIN v. UNITED STATES OF AMERICA, ET AL., C.A. No. 1:17-00313

CLERVRAIN v. CHAPA, ET AL., C.A. No. 1:17-00452

CLERVRAIN v. MELLADY, ET AL., C.A. No. 1:18-00058

CLERVRAIN v. SAMUEL, ET AL., C.A. No. 1:18-00059

CLERVRAIN v. MELLENDICK, ET AL., C.A. No. 1:18-00060

CLERVRAIN v. KELLER, ET AL., C.A. No. 1:18-00061

MDL No. 2861 – **IN RE: CUSTARD INSURANCE ADJUSTERS, INC., FAIR LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION**

Motion of plaintiff Armen Abgaryan and defendant Custard Insurance Adjusters, Inc., to transfer the following actions to the United States District Court for the Northern District of California:

Central District of California

ABGARYAN v. CUSTARD INSURANCE ADJUSTERS, INC., C.A. No. 8:17-01849

Northern District of California

WADLER, ET AL. v. CUSTARD INSURANCE ADJUSTERS, INC.,

C.A. No. 3:17-05840

MDL No. 2862 – **IN RE: DIISOCYANATES ANTITRUST LITIGATION**

Motion of plaintiff Utah Foam Products, Inc., to transfer the following actions to the United States District Court for the Western District of Pennsylvania:

Eastern District of Michigan

ISAAC INDUSTRIES, INC. v. BASF CORPORATION, ET AL., C.A. No. 1:18-12089

District of New Jersey

C.U.E., INC. v. BASF AG, ET AL., C.A. No. 2:18-11439

Western District of Pennsylvania

UTAH FOAM PRODUCTS, INC. v. BAYER A.G., ET AL., C.A. No. 2:18-00858

MDL No. 2863 – **IN RE: [24]7.AI, INC., CUSTOMER DATA SECURITY BREACH LITIGATION**

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

Central District of California

PICA v. DELTA AIR LINES, INC., ET AL., C.A. No. 2:18-02876

Northern District of California

FORD, ET AL. v. 24/7, INC., ET AL., C.A. No. 5:18-02770

Northern District of Georgia

MCGARRY v. DELTA AIR LINES, INC., ET AL., C.A. No. 1:18-02794

MDL No. 2864 – **IN RE: ROUTE 91 HARVEST FESTIVAL SHOOTINGS IN LAS VEGAS, NEVADA, ON OCTOBER 1, 2017**

Motion of MGM Resorts International; Mandalay Bay, LLC; Mandalay Resort Group; MGM Resorts Venue Management, LLC; and MGM Resorts Festival Grounds, LLC, to transfer the following actions to a single United States District Court:

District of Alaska

MGM RESORTS INTERNATIONAL, ET AL. v. CORBIN, ET AL.,  
C.A. No. 3:18-00168

District of Arizona

MGM RESORTS INTERNATIONAL, ET AL. v. BOOTH, ET AL.,  
C.A. No. 2:18-02250



Central District of California

RAMIREZ, ET AL. v. MGM RESORTS INTERNATIONAL, ET AL.,  
C.A. No. 2:18-05564  
PEREDA v. MGM RESORTS INTERNATIONAL, ET AL., C.A. No. 2:18-05570  
MAGGIORE v. MGM RESORTS INTERNATIONAL, ET AL., C.A. No. 2:18-05640  
MGM RESORTS INTERNATIONAL, ET AL. v. AASE, ET AL., C.A. No. 2:18-06113  
MGM RESORTS INTERNATIONAL, ET AL. v. ABNER, ET AL.,  
C.A. No. 2:18-06197

Southern District of Florida

MGM RESORTS INTERNATIONAL, ET AL. v. BRASFIELD, ET AL.,  
C.A. No. 1:18-22883

District of Nevada

SHEPPARD, ET AL. v. MANDALAY BAY, LLC, ET AL., C.A. No. 2:18-01120  
MGM RESORTS INTERNATIONAL, ET AL. v. ACOSTA, ET AL.,  
C.A. No. 2:18-01288

Southern District of New York

MGM RESORTS INTERNATIONAL, ET AL. v. SOCCI, ET AL.,  
C.A. No. 1:18-06451

Southern District of Texas

MGM RESORTS INTERNATIONAL, ET AL. v. ARCHAMBEAULT, ET AL.,  
C.A. No. 4:18-02465

District of Utah

MGM RESORTS INTERNATIONAL, ET AL. v. EARDLEY, ET AL.,  
C.A. No. 2:18-00567

MDL No. 2865 – **IN RE: CUSTOMS AND TAX ADMINISTRATION OF THE  
KINGDOM OF DENMARK (SKAT) TAX REFUND SCHEME  
LITIGATION**

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

District of Connecticut

SKAT v. AEROVANE LOGISTICS LLC ROTH 401K PLAN, ET AL.,  
C.A. No. 3:18-00757  
SKAT v. RANDOM HOLDINGS 401K PLAN, ET AL., C.A. No. 3:18-00758  
SKAT v. EDGEPOINT CAPITAL LLC ROTH 401K PLAN, ET AL.,  
C.A. No. 3:18-00877  
SKAT v. FEDERATED LOGISTICS LLC 401K, ET AL., C.A. No. 3:18-00983  
SKAT v. HEADSAIL MANUFACTURING LLC ROTH 401K PLAN, ET AL.,  
C.A. No. 3:18-00984  
SKAT v. TVETER LLC PENSION PLAN, ET AL., C.A. No. 3:18-00985  
SKAT v. VALERIUS LLC SOLO 401K PLAN, ET AL., C.A. No. 3:18-00987

Southern District of Florida

SKAT v. THE FWC CAPITAL LLC PENSION PLAN, ET AL., C.A. No. 1:18-21801  
SKAT v. THE RDL CONSULTING GROUP LLC PENSION PLAN, ET AL.,  
C.A. No. 1:18-22070

Northern District of Illinois

SKAT v. COLE ENTERPRISES USA RETIREMENT PLAN & TRUST, ET AL.,  
C.A. No. 1:18-03206  
SKAT v. BLUE OCEAN EQUITY LLC RETIREMENT PLAN, ET AL.,  
C.A. No. 1:18-03207  
SKAT v. KK LAW FIRM RETIREMENT PLAN TRUST, ET AL.,  
C.A. No. 1:18-04082

Eastern District of Kentucky

SKAT v. SRH FARMS LLC 401(K) PLAN, ET AL., C.A. No. 5:18-00395  
SKAT v. MGH FARMS LLC 401(K) PLAN, ET AL., C.A. No. 5:18-00396  
SKAT v. JSH FARMS 401(K) PLAN, ET AL., C.A. No. 5:18-00397  
SKAT v. TRITON FARMS LLC 401(K) PLAN, ET AL., C.A. No. 5:18-00398  
SKAT v. KRH FARMS LLC 401(K) PLAN, ET AL., C.A. No. 5:18-00399  
SKAT v. TEW, LP RETIREMENT PLAN, ET AL., C.A. No. 5:18-00400

SKAT v. TEW ENTERPRISES, LLC RETIREMENT PLAN, ET AL.,  
C.A. No. 5:18-00401  
SKAT v. INDUSTRIAL PENSIONS GROUP TRUST, ET AL., C.A. No. 5:18-00402  
SKAT v. CASTING PENSIONS GROUP TRUST, ET AL., C.A. No. 5:18-00403  
SKAT v. SV HOLDINGS, LLC RETIREMENT PLAN, ET AL., C.A. No. 5:18-00404  
SKAT v. CENTRAL TECHNOLOGIES PENSIONS GROUP TRUST, ET AL.,  
C.A. No. 5:18-00405  
SKAT v. BLUEGRASS RETIREMENT GROUP TRUST, ET AL.,  
C.A. No. 5:18-00406  
SKAT v. BLUEGRASS INVESTMENT MANAGEMENT, LLC RETIREMENT PLAN,  
ET AL., C.A. No. 5:18-00407  
SKAT v. AUTOPARTS PENSIONS GROUP TRUST, ET AL., C.A. No. 5:18-00408  
SKAT v. MSJJ RETIREMENT GROUP TRUST, ET AL., C.A. No. 5:18-00409

District of Massachusetts

SKAT v. THE 78 YORKTOWN PENSION PLAN, ET AL., C.A. No. 1:18-10890  
SKAT v. THE CAMBRIDGE TOWN LINE PENSION PLAN, ET AL.,  
C.A. No. 1:18-10891  
SKAT v. THE DIAMOND SCOTT CAPITAL PENSION PLAN, ET AL.,  
C.A. No. 1:18-10892  
SKAT v. THE HOTEL FROMANCE PENSION PLAN, ET AL., C.A. No. 1:18-10893  
SKAT v. THE MOUNTAIN AIR LLC 401K PLAN, ET AL., C.A. No. 1:18-10894  
SKAT v. THE SKSL LLC PENSION PLAN, ET AL., C.A. No. 1:18-10895  
SKAT v. THE SNOW HILL PENSION PLAN, ET AL., C.A. No. 1:18-10896  
SKAT v. THE WESTRIDGE AVE LLC 401K PLAN, ET AL., C.A. No. 1:18-10897  
SKAT v. THE SHAPIRO BLUE MANAGEMENT LLC 401K PLAN, ET AL.,  
C.A. No. 1:18-11008  
SKAT v. THE PATRICK PARTNERS CONGLOMERATE PENSION PLAN, ET AL.,  
C.A. No. 1:18-11011  
SKAT v. CSCC CAPITAL PENSION PLAN, ET AL., C.A. No. 1:18-11012

District of New Jersey

SKAT v. AMERICAN INVESTMENT GROUP OF NEW YORK, L.P., ET AL.,  
C.A. No. 3:18-08876  
SKAT v. THE CARDINAL CONSULTING PENSION PLAN, ET AL.,  
C.A. No. 3:18-08878  
SKAT v. THE EGRET ASSOCIATES LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-08880  
SKAT v. THE CROW ASSOCIATES PENSION PLAN, ET AL., C.A. No. 3:18-08881  
SKAT v. THE HERON ADVISORS PENSION PLAN, ET AL., C.A. No. 3:18-08882

SKAT v. THE HOBOKEN ADVISORS LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-08883  
SKAT v. THE JAYFRAN BLUE PENSION PLAN, ET AL., C.A. No. 3:18-08884  
SKAT v. THE JT HEALTH CONSULTING LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-08885  
SKAT v. THE LAKEVIEW ADVISORS 401K PLAN, ET AL., C.A. No. 3:18-08886  
SKAT v. THE OSPREY ASSOCIATES LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-08887  
SKAT v. THE SANDPIPER PENSION PLAN, ET AL., C.A. No. 3:18-08888  
SKAT v. THE ZEN TRAINING LLC 401(K) PLAN, ET AL., C.A. No. 3:18-08889  
SKAT v. THE EVERYTHING CLEAN LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-09439  
SKAT v. THE JUMP GROUP LLC 401K PLAN, ET AL., C.A. No. 3:18-09442  
SKAT v. THE OAKS GROUP PENSION PLAN, ET AL., C.A. No. 3:18-09444  
SKAT v. THE WAVE MAVEN LLC 401K PLAN, ET AL., C.A. No. 3:18-09445  
SKAT v. THE BALMORAL MANAGEMENT LLC 401K PENSION PLAN, ET AL.,  
C.A. No. 3:18-10098  
SKAT v. THE BEECH TREE PARTNERS 401K PLAN, ET AL., C.A. No. 3:18-10108  
SKAT v. THE BLACKBIRD 401K PLAN, ET AL., C.A. No. 3:18-10109  
SKAT v. THE CHAMBERS PROPERTY MANAGEMENT LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-10110  
SKAT v. FIFTYEIGHTSIXTY LLC SOLO 401K PLAN, ET AL., C.A. No. 3:18-10111  
SKAT v. THE HAWK GROUP PENSION PLAN, ET AL., C.A. No. 3:18-10112  
SKAT v. THE HIBISCUS PARTNERS LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-10113  
SKAT v. THE MAPLE ADVISORS LLC 401K PLAN, ET AL., C.A. No. 3:18-10114  
SKAT v. ONEZEROFIVE LLC SOLO 401K PLAN, ET AL., C.A. No. 3:18-10115  
SKAT v. THE ROBIN DANIEL PENSION PLAN, ET AL., C.A. No. 3:18-10116  
SKAT v. THE SEA BRIGHT ADVISORS LLC 401K PLAN, ET AL.,  
C.A. No. 3:18-10117  
SKAT v. THE TAG REALTY ADVISORS LLC 401K, ET AL., C.A. No. 3:18-10118  
SKAT v. THE THROCKMORTON REALTY ADVISORS 401K PLAN, ET AL.,  
C.A. No. 3:18-10119  
SKAT v. ACORN CAPITAL CORPORATION EMPLOYEE PROFIT SHARING  
PLAN, ET AL., C.A. No. 3:18-10464  
SKAT v. CAMBRIDGE WAY LLC 401K PROFIT SHARING PLAN, ET AL.,  
C.A. No. 3:18-10465  
SKAT v. THE DINK14 LLC 401K PLAN, ET AL., C.A. No. 3:18-10466  
SKAT v. JML CAPITAL LLC 401K PLAN, ET AL., C.A. No. 3:18-10468  
SKAT v. NATOLI MANAGEMENT PENSION PLAN, ET AL., C.A. No. 3:18-10469  
SKAT v. NOVA FONTA TRADING LLC 401K PLAN, ET AL., C.A. No. 3:18-10470  
SKAT v. THE SKYBAX LLC 401K PLAN, ET AL., C.A. No. 3:18-10592

Southern District of New York

IN RE SKAT TAX REFUND SCHEME LITIGATION, C.A. No. 1:18-04047  
SKAT v. THE DMR PENSION PLAN, ET AL., C.A. No. 1:18-04049  
SKAT v. THE HOUSTON ROCCO LLC 401K PLAN, ET AL., C.A. No. 1:18-04050  
SKAT v. THE PROPER PACIFIC LLC 401K PLAN, ET AL., C.A. No. 1:18-04051  
SKAT v. THE LBR CAPITAL PENSION PLAN, ET AL., C.A. No. 1:18-04052  
SKAT v. THE ATLANTIC DHR 401K PLAN, ET AL., C.A. No. 1:18-04430  
SKAT v. THE STOR CAPITAL CONSULTING LLC 401K PLAN, ET AL.,  
C.A. No. 1:18-04434  
SKAT v. THE BUSBY BLACK 401K PLAN, ET AL., C.A. No. 1:18-04522  
SKAT v. THE CANADA ROCK LLC 401K PLAN, ET AL., C.A. No. 1:18-04531  
SKAT v. THE ISDB PENSION PLAN, ET AL., C.A. No. 1:18-04536  
SKAT v. THE MONIN AMPER PENSION PLAN, ET AL., C.A. No. 1:18-04538  
SKAT v. THE NYC STANISMORE PENSION PLAN, ET AL., C.A. No. 1:18-04541  
SKAT v. THE TEXAS ROCCO LLC 401K PLAN, ET AL., C.A. No. 1:18-04543  
SKAT v. SANFORD VILLA PENSION PLAN, ET AL., C.A. No. 1:18-04767  
SKAT v. THE ASTON ADVISORS LLC 401K PLAN, ET AL., C.A. No. 1:18-04770  
SKAT v. THE SECTOR 230 LLC 401K PLAN, ET AL., C.A. No. 1:18-04771  
SKAT v. RAUBRITTER LLC PENSION PLAN, ET AL., C.A. No. 1:18-04833  
SKAT v. THE M2F WELLNESS LLC 401K PLAN, ET AL., C.A. No. 1:18-04890  
SKAT v. THE MPQ HOLDINGS LLC 401K PLAN, ET AL., C.A. No. 1:18-04892  
SKAT v. STERLING ALPHA LLC 401K PROFIT SHARING PLAN, ET AL.,  
C.A. No. 1:18-04894  
SKAT v. THE TKKJ LLC 401K PLAN, ET AL., C.A. No. 1:18-04896  
SKAT v. NYCATX LLC SOLO 401K PLAN, ET AL., C.A. No. 1:18-04898  
SKAT v. SANDER GERBER PENSION PLAN, ET AL., C.A. No. 1:18-04899  
SKAT v. ACKVIEW SOLO 401K PLAN, ET AL., C.A. No. 1:18-04900  
SKAT v. THE DOSMON BLY PENSION PLAN, ET AL., C.A. No. 1:18-05045  
SKAT v. THE GOLDSTEIN LAW GROUP PC 401(K) PROFIT SHARING PLAN,  
ET AL., C.A. No. 1:18-05053  
SKAT v. THE INDIA BOMBAY LLC 401K PENSION PLAN, ET AL.,  
C.A. No. 1:18-05057  
SKAT v. THE ARIA PENSION PLAN, ET AL., C.A. No. 1:18-05147  
SKAT v. THE BELFORTE PENSION PLAN, ET AL., C.A. No. 1:18-05150  
SKAT v. THE BRAVOS ADVISORS 401K PLAN, ET AL., C.A. No. 1:18-05151  
SKAT v. THE COSTELLO ADVISORS PENSION PLAN, ET AL.,  
C.A. No. 1:18-05158  
SKAT v. THE ESKIN PENSION PLAN, ET AL., C.A. No. 1:18-05164  
SKAT v. THE FIELDCREST PENSION PLAN, ET AL., C.A. No. 1:18-05180  
SKAT v. THE WESTPORT ADVISORS LLC 401K PLAN, ET AL.,  
C.A. No. 1:18-05183

SKAT v. THE KODIAK CAPITAL PENSION PLAN, ET AL., C.A. No. 1:18-05185  
SKAT v. THE KYBER PENSION PLAN, ET AL., C.A. No. 1:18-05186  
SKAT v. THE LERICI CAPITAL PENSION PLAN, ET AL., C.A. No. 1:18-05188  
SKAT v. THE LUDLOW HOLDINGS 401K PLAN, ET AL., C.A. No. 1:18-05189  
SKAT v. THE REGOLETH PENSION PLAN, ET AL., C.A. No. 1:18-05190  
SKAT v. THE SABA CAPITAL LLC 401K PLAN, ET AL., C.A. No. 1:18-05192  
SKAT v. THE WEST RIVER PENSION PLAN, ET AL., C.A. No. 1:18-05193  
SKAT v. THE STARK PENSION PLAN, ET AL., C.A. No. 1:18-05194  
SKAT v. THE PETKOV PARTNERS PENSION PLAN, ET AL., C.A. No. 1:18-05299  
SKAT v. THE PETKOV MANAGEMENT LLC 401K PLAN, ET AL.,  
C.A. No. 1:18-05300  
SKAT v. THE SVP 401K PLAN, ET AL., C.A. No. 1:18-05305  
SKAT v. THE KRABI HOLDINGS LLC 401K PLAN, ET AL., C.A. No. 1:18-05307  
SKAT v. THE SPKK LLC 401K PLAN, ET AL., C.A. No. 1:18-05308  
SKAT v. THE KASV GROUP PENSION PLAN, ET AL., C.A. No. 1:18-05309  
SKAT v. DEL MAR ASSET MANAGEMENT SAVING & RETIREMENT PLAN,  
ET AL., C.A. No. 1:18-05374

Southern District of Ohio

SKAT v. THE BELLA CONSULTANTS PENSION PLAN, ET AL.,  
C.A. No. 1:18-00309  
SKAT v. THE MUELLER INVESTMENTS PENSION PLAN, ET AL.,  
C.A. No. 1:18-00310  
SKAT v. THE GREEN GROUP SITE PENSION PLAN, ET AL., C.A. No. 1:18-00311  
SKAT v. THE SINCLAIR PENSION PLAN, ET AL., C.A. No. 1:18-00351

Eastern District of Pennsylvania

SKAT v. NEWSONG FELLOWSHIP CHURCH 401K PLAN, ET AL.,  
C.A. No. 5:18-02459

Southern District of Texas

CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK v.  
BLACKRAIN PEGASUS LLC SOLO 401K PLAN, ET AL., C.A. No. 4:18-01889  
CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK v.  
GYOS 23 LLC SOLO 401K PLAN, ET AL., C.A. No. 4:18-01895  
CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK v.  
THE OAK TREE ONE 401K PLAN, ET AL., C.A. No. 4:18-01897  
CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK v.  
THE JOANNE E. BRADLEY SOLO 401K PLAN, ET AL., C.A. No. 4:18-01898

CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK v.  
DELGADO FOX LLC SOLO 401K PLAN, ET AL., C.A. No. 4:18-01899  
CUSTOMS AND TAX ADMINISTRATION OF THE KINGDOM OF DENMARK v.  
PEGASUS FOX 23 LLC SOLO 401K PLAN, ET AL., C.A. No. 4:18-01900

District of Utah

SKAT v. DW CONSTRUCTION, INC. RETIREMENT PLAN, ET AL.,  
C.A. No. 2:18-00452  
SKAT v. KAMCO INVESTMENTS, INC. PENSION PLAN, ET AL.,  
C.A. No. 2:18-00454  
SKAT v. KAMCO LP PROFIT SHARING PENSION PLAN, ET AL.,  
C.A. No. 2:18-00455  
SKAT v. LINDEN ASSOCIATES DEFINED BENEFIT PLAN, ET AL.,  
C.A. No. 2:18-00456  
SKAT v. MOIRA ASSOCIATES LLC 401K PLAN, ET AL., C.A. No. 2:18-00458  
SKAT v. RIVERSIDE ASSOCIATES DEFINED BENEFIT PLAN, ET AL.,  
C.A. No. 2:18-00460

**MDL No. 2866 – IN RE: LUCA INTERNATIONAL GROUP SECURITIES LITIGATION**

Motion of defendant Lei (Lily) Lei to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

SECURITIES AND EXCHANGE COMMISSION v. LUCA INTERNATIONAL  
GROUP, LLC, ET AL., C.A. No. 3:15-03101

Southern District of Texas

RANDY WILLIAMS, TRUSTEE OF THE LUCA LIQUIDATING TRUST v. LEI  
(LILY) LEI, ET AL., Bky. Advy. No. 4:17-03375

**MDL No. 2867 – IN RE: LOCAL TV ADVERTISING ANTITRUST LITIGATION**

Motion of plaintiff Clay, Massey & Associates, P.C. to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

CLAY, MASSEY & ASSOCIATES, P.C. v. GRAY TELEVISION, INC., ET AL.,  
C.A. No. 1:18-05197

District of Maryland

LAW OFFICES OF PETER MILLER, P.A. v. SINCLAIR BROADCAST GROUP,  
INC., ET AL., C.A. No. 1:18-02316

MDL No. 2868 – **IN RE: LINEAR GADOLINIUM-BASED CONTRAST AGENTS  
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Hilary Davis; Srihari Munnuru; Susan Fischer; Kathleen Geisse, Ph.D., et al.; Patricia Young; Beth Winkler; Gena Norris, et al.; Debra Javens; Marcia Sabol; Nikki Esserman; Gail Montani; Stephen Goodell; Denise McGrath; Marcin Zelazny; Lori Combs; Sean Miller; and Dawn Walton to transfer the following actions to the United States District Court for the Northern District of California or, in the alternative, the United States District Court for the District of Massachusetts:

District of Arizona

DAVIS v. MCKESSON CORPORATION, ET AL., C.A. No. 2:18-01157  
MUNNURU v. GUERBET LLC, ET AL., C.A. No. 2:18-01159  
FISCHER v. BAYER HEALTHCARE PHARMACEUTICALS INCORPORATED,  
ET AL., C.A. No. 2:18-01778

Northern District of California

GEISSE, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:17-07026  
YOUNG v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:18-00811  
WINKLER v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:18-03077  
LEWIS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:18-04146

District of Delaware

JAVENS v. GE HEALTHCARE, INC., ET AL., C.A. No. 1:18-01030

Middle District of Florida

SABOL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 8:18-00850



Southern District of Florida

ESSERMAN v. BRACCO DIAGNOSTICS, INC., ET AL., C.A. No. 1:18-21396  
MONTANI v. BRACCO DIAGNOSTICS, INC., ET AL., C.A. No. 4:18-10054

District of Kansas

GERRITY, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:18-02245

District of Massachusetts

GOODELL v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:18-10694  
VIRUET v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:18-11611

Eastern District of New York

MCGRATH v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:18-02134

Southern District of New York

ZELAZNY v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:18-03246

Northern District of Ohio

COMBS v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 1:18-00802

Southern District of Ohio

WHITE v. GE HEALTHCARE, INC., ET AL., C.A. No. 1:17-00212  
MILLER v. GE HEALTHCARE, INC., ET AL., C.A. No. 3:18-00113

District of Oregon

WALTON v. GE HEALTHCARE, INC., ET AL., C.A. No. 2:18-00605

Southern District of Texas

NORRIS, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 4:18-02762

MDL No. 2869 – **IN RE: COMPLYRIGHT CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Motion of plaintiffs Robert Bohannon, et al., to transfer the following actions to the United States District Court for the Southern District of Florida:

Southern District of Florida

BOHANNON, ET AL. v. COMPLYRIGHT, INC., C.A. No. 0:18-61730  
ROBERTS v. COMPLYRIGHT, INC., C.A. No. 0:18-61836

Northern District of Illinois

WINSTEAD v. COMPLYRIGHT, INC., C.A. No. 1:18-04990

District of Nevada

MORELLO v. COMPLYRIGHT, INC., C.A. No. 2:18-01480

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

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

Motion of plaintiffs Kenneth P. Kellogg, et al., for reconsideration of the Panel’s ruling transferring 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. 2670 – **IN RE: PACKAGED SEAFOOD PRODUCTS ANTITRUST LITIGATION**

Oppositions of plaintiff Bryan Anthony Reo to transfer of the following actions to the United States District Court for the Southern District of California:

Northern District of Ohio

REO v. BUMBLE BEE FOODS, LLC, C.A. No. 1:18-01415

REO v. CHICKEN OF THE SEA INTERNATIONAL, C.A. No. 1:18-01477

REO v. STARKIST CO., C.A. No. 1:18-01518

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

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

Eastern District of Virginia

CASTELLUCCI v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:18-00863

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

Oppositions of plaintiffs Thomas Rafferty and Cynthia Gibson, et al., to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Northern District of Illinois

RAFFERTY v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:18-04199

Eastern District of Missouri

GIBSON, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:18-01100

MDL No. 2775 – **IN RE: SMITH & NEPHEW BIRMINGHAM HIP RESURFACING  
(BHR) HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Lori Spellman to transfer of the following action to the United States District Court for the District of Maryland:

District of Arizona

SPELLMAN v. SMITH & NEPHEW INCORPORATED, C.A. No. 3:16-08080

MDL No. 2792 – **IN RE: SAMSUNG TOP-LOAD WASHING MACHINE MARKETING,  
SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Colleen Kennedy, et al., and Mitchell Orenstein, to transfer of their respective following actions to the United States District Court for the Western District of Oklahoma:

District of New Jersey

KENNEDY, ET AL. v. SAMSUNG ELECTRONICS AMERICA, INC.,  
C.A. No. 2:14-04987

ORENSTEIN v. SAMSUNG ELECTRONICS AMERICA, INC., C.A. No. 2:15-04054

**MDL No. 2795 – IN RE: CENTURYLINK SALES PRACTICES AND SECURITIES  
LITIGATION**

Oppositions of plaintiffs Neil TS Flanders; Tim Ault; and Michael Barbee, et al., and defendants CenturyLink, Inc.; Glen F. Post III; David D. Cole; Sunit S. Patel; Jeffrey K. Storey; Virginia Boulet; Peter C. Brown; Steven T. Clontz; T. Michael Glenn; W. Bruce Hanks; Mary L. Landrieu; Harvey P. Perry; Laurie A. Siegel; R. Stewart Ewing, Jr.; Martha H. Bejar; Michael J. Roberts; and Kevin P. Chilton to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Western District of Louisiana

FLANDERS v. POST, ET AL., C.A. No. 3:18-00753  
AULT v. POST, ET AL., C.A. No. 3:18-00755  
BARBREE, ET AL. v. BEJAR, ET AL., C.A. No. 3:18-00870

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

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of Georgia and opposition of defendant Equifax Inc., to remand, under 28 U.S.C. § 1407(a), of the *Casper* action to the United States District Court for the Middle District of North Carolina:

Central District of California

KEROBYAN v. EQUIFAX INC., ET AL., C.A. No. 2:18-05401  
ANDRUSS, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 8:18-00943  
ABDELRAZZAQ, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 8:18-00945  
ANDERSON, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 8:18-00950  
BREVEARD v. EQUIFAX INC., C.A. No. 8:18-00952  
ACHERONTI, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 8:18-00955  
BELL, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 8:18-00956  
BERRY v. EQUIFAX INC., ET AL., C.A. No. 8:18-00957

Northern District of Georgia

CASPER v. EQUIFAX, INC., C.A. No. 1:18-1511 (M.D. North Carolina,  
C.A. No. 1:17-01004)

Southern District of Illinois

WEDDINGTON v. EQUIFAX CREDIT INFORMATION SERVICES, INC.,  
C.A. No. 3:18-01380

District of New Jersey

POTENTE v. EQUIFAX INFO. SERVICES, LLC, C.A. No. 2:18-10489

Eastern District of New York

LEE v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 1:18-03133

Southern District of Texas

COWHERD v. EQUIFAX, INC., C.A. No. 4:18-02230

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

Oppositions of certain plaintiffs and defendants Curtis V. Cooper Primary Health Care, Inc.; Pembroke Pharmacy, Inc.; and Willie C. Conley, Jr., RPH to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Middle District of Florida

CITY OF JACKSONVILLE v. PURDUE PHARMA L.P., ET AL.,  
C.A. No. 3:18-00751

Northern District of Florida

LEVY COUNTY v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:18-00100

Southern District of Florida

PALM BEACH COUNTY v. PURDUE PHARMA L.P., ET AL., C.A. No. 9:18-80749

Southern District of Georgia

BOLTON, ET AL. v. BYNES, JR, ET AL., C.A. No. 4:18-00136

District of New Jersey

THE BOROUGH OF RIDGEFIELD, v. PURDUE PHARMA L.P., ET AL.,  
C.A. No. 2:18-10842  
MONMOUTH COUNTY v. PURDUE PHARMA L.P., ET AL., C.A. No. 3:18-10901

District of South Carolina

COUNTY OF ANDERSON v. RITE AID OF SOUTH CAROLINA, INC., ET AL.,  
C.A. No. 8:18-01947

Western District of Wisconsin

RED CLIFF BAND OF LAKE SUPERIOR CHIPPEWA INDIANS v. MCKESSON CORPORATION, ET AL., C.A. No. 3:18-00380

MDL No. 2841 – **IN RE: MONAT HAIR CARE PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Monat Global Corp., to transfer of the following action to the United States District Court for the Southern District of Florida:

District of Nevada

MONAT GLOBAL CORP. v. MILLER, C.A. No. 2:18-00324

MDL No. 2843 – **IN RE: FACEBOOK, INC., CONSUMER PRIVACY USER PROFILE LITIGATION**

Opposition of plaintiff People of the State of Illinois, ex rel. Kimberly M. Foxx to transfer of the following action to the United States District Court for the Northern District of California:

Northern District of Illinois

PEOPLE OF THE STATE OF ILLINOIS, EX REL. KIMBERLY M. FOXX v. FACEBOOK, INC., ET AL., C.A. No. 1:18-02667

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.