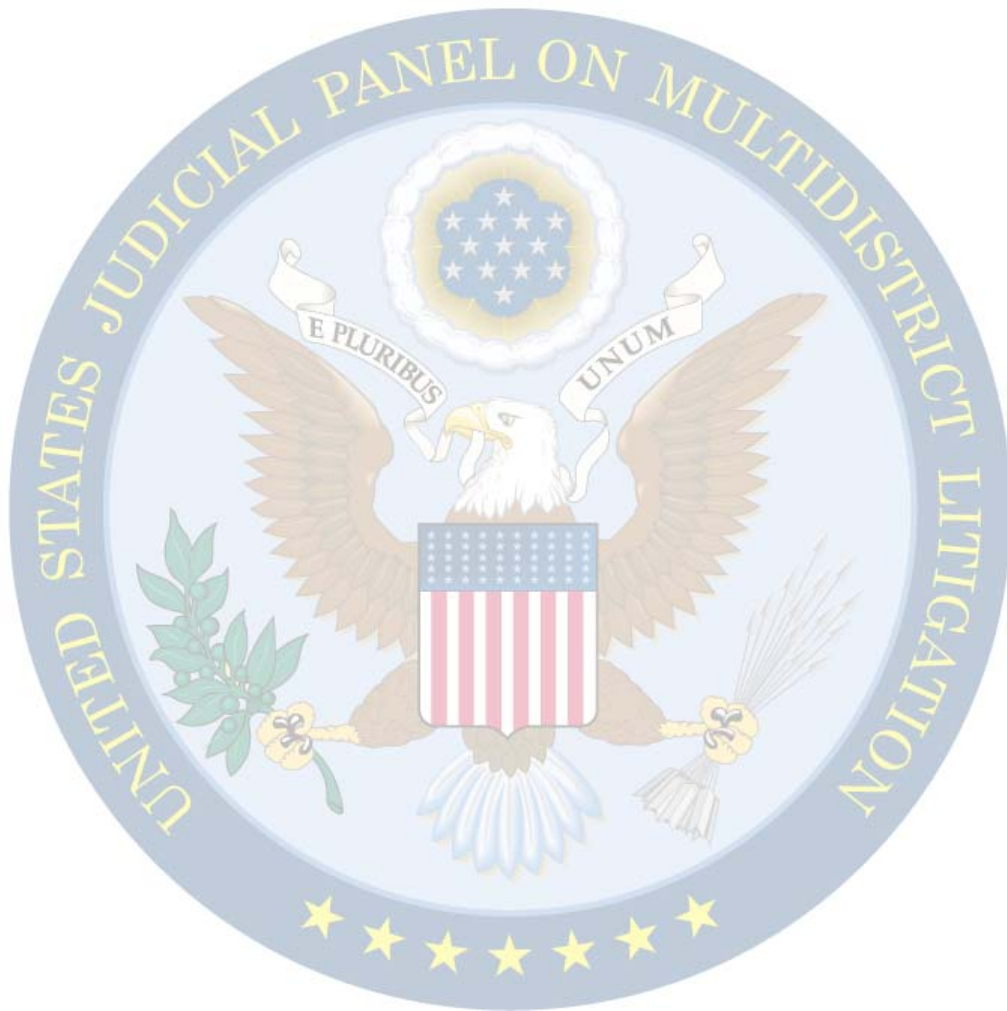


Hearing Session Order & Amendments



January 30, 2020

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ZOSTAVAX (ZOSTER VACCINE LIVE)
PRODUCTS LIABILITY LITIGATION

Gentile v. Merck & Co., Inc., et al.,)
S.D. Ohio, C.A. No. 2:19-04174)

MDL No. 2848

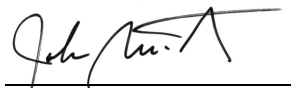
ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER
AND VACATING THE JANUARY 30, 2020, HEARING SESSION ORDER

A conditional transfer order was filed in this action on October 9, 2019. Prior to expiration of that order's 7-day stay of transmittal, plaintiff in *Gentile* filed a notice of opposition to the proposed transfer. Plaintiff later filed a motion to vacate the conditional transfer order and a supporting brief. Plaintiff has now withdrawn her opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-45" filed on October 9, 2019, is LIFTED insofar as it relates to this action. The action is transferred to the Eastern District of Pennsylvania for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Harvey Bartle, III.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 19, 2019, are VACATED insofar as they relate to this matter.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

**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: **January 30, 2020**

LOCATION OF HEARING SESSION: Sam M. Gibbons United States Courthouse
Courtroom 17, 17th Floor
801 North Florida Avenue
Tampa, Florida 33602

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:

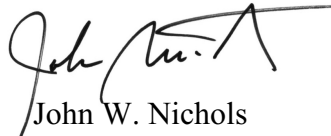
- The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions including those concerning an appropriate transferee district. Any change in position should 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 **January 6, 2020**. 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 Middle District of Florida

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 January 30, 2020, the Panel will convene a hearing session in Tampa, Florida, 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



Karen K. Caldwell
Chair

Ellen Segal Huvelle	R. David Proctor
Catherine D. Perry	Nathaniel M. Gorton
Matthew F. Kennelly	David C. Norton

SCHEDULE OF MATTERS FOR HEARING SESSION
January 30, 2020 -- Tampa, Florida

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. 2923 – IN RE: VEROBLUE FARMS USA, INC., LITIGATION

Motion of defendants FishDish, LLC; Kenneth Lockard; Beecher, Field, Walker, Morris, Hoffman & Johnson PC; Horwood Marcus & Berk Chartered; and Goldstein & McClintock, LLP to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

VEROBLUE FARMS USA, INC. v. WULF, ET AL., C.A. No. 1:19-06542

Northern District of Iowa

VEROBLUE FARMS USA, INC. v. WULF, ET AL., C.A. No. 3:18-03047

MDL No. 2924 – IN RE: ZANTAC (RANITIDINE) PRODUCTS LIABILITY LITIGATION

Motion of plaintiffs Christina Garza, et al.; Jonathan Dimesky, et al.; Mary Santorella, et al.; and George Cravens, et al., to transfer the following actions to the United States District Court for the District of New Jersey:

Eastern District of California

HANSEN v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,
C.A. No. 2:19-02069

Northern District of California

BALISTRERI v. BOEHRINGER INGELHAM PHARMACEUTICALS, INC., ET AL.,
C.A. No. 3:19-07226
GARZA, ET AL. v. SANOFI-AVENTIS U.S. LLC, ET AL., C.A. No. 5:19-05772

District of Colorado

BLAKE v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,
C.A. No. 1:19-02991

District of Connecticut

DIMESKY, ET AL. v. SANOFI-AVENTIS U.S. LLC, ET AL., C.A. No. 3:19-01517
CRAVENS, ET AL. v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.,
ET AL., C.A. No. 3:19-01683

Southern District of Florida

LOPEZ FLORES v. SANOFI US SERVICES INC., ET AL., C.A. No. 0:19-62313
KERZER v. SANOFI-AVENTIS U.S. LLC., ET AL., C.A. No. 1:19-24092
GALIMIDI v. SANOFI US SERVICES INC., ET AL., C.A. No. 1:19-24395

Southern District of Illinois

SOBIESZCZYK v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.,
ET AL., C.A. No. 3:19-01200

District of New Jersey

SANTORELLA, ET AL. v. SANOFI-AVENTIS U.S. LLC, ET AL.,
C.A. No. 3:19-18146
PINALES v. SANOFI S.A., ET AL., C.A. No. 3:19-19324
CRAVENS, ET AL. v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.,
ET AL., C.A. No. 3:19-19368

Eastern District of New York

DE LUCA v. SANOFI-AVENTIS U.S. LLC, ET AL., C.A. No. 1:19-06160

Southern District of New York

RODRIGUEZ v. SANOFI U.S. LLC, ET AL., C.A. No. 1:19-09527

MDL No. 2925 – **IN RE: RAIL FREIGHT FUEL SURCHARGE ANTITRUST LITIGATION (NO. II)**

Motion of defendants BNSF Railway Company; Union Pacific Railroad Company; CSX Transportation, Inc.; and Norfolk Southern Railway Company to transfer the following actions to the United States District Court for the District of Columbia or, in the alternative, the United States District Court for the Southern District of Texas or, in the alternative, to transfer the following actions to the United States District Court for the District of Columbia to be included in MDL No. 1869 - In re Rail Freight Fuel Surcharge Antitrust Litigation:

Northern District of Alabama

VULCAN MATERIALS COMPANY, ET AL. v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 2:19-01606

Central District of California

HYUNDAI MOTOR AMERICA, INC. v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 8:19-01880
KIA MOTORS AMERICA, INC. v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 8:19-01881

District of District of Columbia

NORTHERN INDIANA PUBLIC SERVICE COMPANY LLC v. UNION PACIFIC RAILROAD COMPANY, ET AL., C.A. No. 1:19-02927
UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, ET AL. v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 1:19-02940
ALABAMA POWER COMPANY, ET AL. v. UNION PACIFIC RAILROAD COMPANY, ET AL., C.A. No. 1:19-02963
KELLOGG COMPANY v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 1:19-02969
AK STEEL CORPORATION, ET AL. v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 1:19-02970

Northern District of Georgia

MERCEDES-BENZ USA, LLC v. BNSF RAILWAY COMPANY, ET AL., C.A. No. 1:19-04409

District of Idaho

THE AMALGAMATED SUGAR COMPANY, LLC v. BNSF RAILWAY COMPANY,
ET AL., C.A. No. 1:19-00376

Northern District of Illinois

CONAGRA BRANDS, INC. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 1:19-06504
PCS SALES (USA), INC., ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 1:19-06505
LAFARGE NORTH AMERICA, INC., ET AL. v. BNSF RAILWAY COMPANY,
ET AL., C.A. No. 1:19-06506
OLD WORLD INDUSTRIES, LLC v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 1:19-06507

Western District of Louisiana

AXIALL CORP., ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 2:19-01272

District of New Jersey

CAMPBELL SOUP COMPANY, ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 1:19-18567

Western District of New York

AMERICAN ROCK SALT COMPANY LLC v. BNSF RAILWAY COMPANY LLC,
ET AL., C.A. No. 6:19-06727

Western District of North Carolina

DUKE ENERGY CAROLINAS, LLC, ET AL. v. BNSF RAILWAY COMPANY,
ET AL., C.A. No. 3:19-00494

Eastern District of Pennsylvania

CERTAINTEED CORPORATION, ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 2:19-04523

Western District of Pennsylvania

NOVA CHEMICALS, INC., ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 2:19-01259
ALCOA CORPORATION, ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 2:19-01261
KEYSTONE FUELS, LLC, ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 2:19-01415

Eastern District of Tennessee

GRAIN CRAFT, INC. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 1:19-00278
EASTMAN CHEMICAL COMPANY, ET AL. v. BNSF RAILWAY COMPANY,
ET AL., C.A. No. 2:19-00168

Western District of Tennessee

NORTHDOWN INDUSTRIES, INC., ET AL. v. BNSF RAILWAY COMPANY,
ET AL., C.A. No. 1:19-01225

Southern District of Texas

MOTIVA ENTERPRISES LLC v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 4:19-03753
IPSCO TUBULARS, INC., ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 4:19-03760
COFFEYVILLE RESOURCES NITROGEN FERTILIZERS, LLC, ET AL. v.
BNSF RAILWAY COMPANY, ET AL., C.A. No. 4:19-03762
PHILLIPS 66 COMPANY v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 4:19-03763
TALEN ENERGY SUPPLY, LLC, ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 4:19-03764

Eastern District of Virginia

DOMINION ENERGY, INC., ET AL. v. BNSF RAILWAY COMPANY, ET AL.,
C.A. No. 3:19-00717

MDL No. 2927 – **IN RE: ZEROCLICK, LLC, ('691 & '443) PATENT LITIGATION**

Motion of defendants Microsoft Corporation and Dell Technologies Inc. to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

HP INC. v. ZEROCLICK, LLC, C.A. No. 4:19-06532

Western District of Texas

ZEROCLICK, LLC v. DELL TECHNOLOGIES, INC., C.A. No. 6:19-00569
ZEROCLICK, LLC v. LG ELECTRONICS, INC., ET AL., C.A. No. 6:19-00571
ZEROCLICK, LLC v. MICROSOFT CORPORATION, C.A. No. 6:19-00572
ZEROCLICK, LLC v. SAMSUNG ELECTRONICS CO., LTD., ET AL.,
C.A. No. 6:19-00573

MDL No. 2928 – **IN RE: HOTEL INDUSTRY SEX TRAFFICKING LITIGATION**

Motion of plaintiffs H.H., M.A., Jane Doe C.D., A.B., V.G., and H.G., to transfer the following actions to the United States District Court for the Southern District of Ohio:

Northern District of Georgia

DOE 1 v. RED ROOF INNS, INC., ET AL., C.A. No. 1:19-03840
DOE 2 v. RED ROOF INNS, INC., ET AL., C.A. No. 1:19-03841
DOE 3 v. RED ROOF INNS, INC., ET AL., C.A. No. 1:19-03843
DOE 4 v. RED ROOF INNS, INC., ET AL., C.A. No. 1:19-03845
H.M. v. RED LION HOTELS CORPORATION, ET AL., C.A. No. 1:19-04859

District of Massachusetts

DOE C.D. v. R-ROOF ASSET, LLC, ET AL., C.A. No. 1:19-11192

Eastern District of Michigan

H.G. v. MARRIOTT INTERNATIONAL, INC., ET AL., C.A. No. 4:19-13622

District of New Hampshire

B. v. INTER-CONTINENTAL HOTELS CORPORATION, ET AL.,
C.A. No. 1:19-01213

Eastern District of New York

S.J. v. CHOICE HOTELS CORPORATION, ET AL., C.A. No. 1:19-06071

Northern District of New York

V. G. v. G6 HOSPITALITY, LLC, C.A. No. 1:19-01520

Southern District of Ohio

H.H. v. G6 HOSPITALITY LLC, ET AL., C.A. No. 2:19-00755

M.A. v. WYNDHAM HOTELS & RESORTS, INC., ET AL., C.A. No. 2:19-00849

DOE S.W. v. LORAIN-ELYRIA MOTEL, INC., ET AL., C.A. No. 2:19-01194

T.S. v. INTERCONTINENTAL HOTELS GROUP, ET AL., C.A. No. 2:19-02970

A.C. v. RED ROOF INNS, INC., ET AL., C.A. No. 2:19-04965

C.T. v. RED ROOF INNS, INC., ET AL., C.A. No. 2:19-05384

District of Oregon

B. v. HILTON WORLDWIDE HOLDINGS, INC., ET AL., C.A. No. 3:19-01992

Eastern District of Pennsylvania

A.B. v. MARRIOTT INTERNATIONAL, INC., C.A. No. 2:19-05770

Southern District of Texas

W. v. HILTON WORLDWIDE HOLDINGS, INC., ET AL., C.A. No. 4:19-04172

Eastern District of Virginia

A.D. v. WYNDHAM HOTELS AND RESORTS, INC., C.A. No. 4:19-00120

Western District of Washington

M.L. v. CRAIGSLIST, INC., ET AL., C.A. No. 3:19-06153

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 1917 – IN RE: CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION

Opposition of defendant LG Electronics U.S.A., Inc., to transfer of the following action to the United States District Court for the Northern District of California:

District of Puerto Rico

GOVERNMENT OF PUERTO RICO, ET AL. v. PANASONIC CORPORATION OF
NORTH AMERICA, ET AL., C.A. No. 3:19-01246

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

Oppositions of plaintiffs Monica Denwiddie, et al., and Edwina Abram, et al., to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Eastern District of Missouri

DENWIDDIE, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:19-02652
ABRAM, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:19-02711

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

Oppositions of plaintiffs John Thomas Moore, Jr.; Joseph Fazio; David Walter; Meghan Caruso; Yvette D'Aunoy; and Randy Bodiford to transfer of their respective following actions to the United States District Court for the Northern District of California:

Southern District of Alabama

MOORE v. MONSANTO COMPANY, ET AL., C.A. No. 2:19-00707

Middle District of Florida

FAZIO v. MONSANTO COMPANY, ET AL., C.A. No. 2:19-00826

Northern District of Illinois

WALTER v. MONSANTO COMPANY, ET AL., C.A. No. 1:19-06482
CARUSO v. MONSANTO COMPANY, ET AL., C.A. No. 1:19-07121

Eastern District of Louisiana

D'AUNOY v. MONSANTO COMPANY, ET AL., C.A. No. 2:19-13594

District of South Carolina

BODIFORD v. MONSANTO COMPANY, ET AL., C.A. No. 1:19-03133

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

Oppositions of plaintiffs Rochelle Anita Johnson, Stephanie D. Granger, and Harold Schmidt to transfer of their respective following actions to the United States District Court for the Northern District of Georgia:

Central District of California

JOHNSON v. EQUIFAX, INC., C.A. No. 2:19-07986

Southern District of Indiana

GRANGER v. EQUIFAX, INC., C.A. No. 1:19-03679

Eastern District of Virginia

SCHMIDT v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 1:19-01125

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 and oppositions of defendants AmerisourceBergen Drug Corporation, et al., and Johnson & Johnson, et al., to remand, under 28 U.S.C. § 1407(a), of the *City and County of San Francisco, et al.*, and *The Cherokee Nation, et al.*, actions to their respective transferor courts:

Central District of California

COUNTY OF ALAMEDA, ET AL. v. RICHARD S. SACKLER, ET AL.,
C.A. No. 8:19-02154

District of Delaware

CITY OF DOVER, ET AL. v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:19-01749

Eastern District of Kentucky

CITY OF HENDERSON v. PURDUE PHARMA L.P., ET AL., C.A. No. 3:19-00067
HARDIN COUNTY FISCAL COURT, ET AL. v. PURDUE PHARMA L.P.,
ET AL., C.A. No. 3:19-00068

Western District of Kentucky

BOWLING GREEN-WARREN COUNTY COMMUNITY HOSPITAL
CORPORATION, ET AL. v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 1:19-00148

District of Maryland

THE COUNTY COMMISSIONER OF CARROLL COUNTY, MARYLAND v.
ALLERGAN PLC, ET AL., C.A. No. 1:19-03254

Eastern District of Missouri

CAMDEN COUNTY v. WILLIAMS, ET AL., C.A. No. 4:19-02930
LINCOLN COUNTY v. SACKLER, ET AL., C.A. No. 4:19-02953

Northern District of Ohio

THE CHEROKEE NATION v. MCKESSON CORPORATION, ET AL.,
C.A. No. 1:18-45695 (E.D. Oklahoma, C.A. No. 6:18-00056)
CITY AND COUNTY OF SAN FRANCISCO, ET AL. v. PURDUE PHARMA
L.P., ET AL., C.A. No. 1:19-45022 (N.D. California, C.A. No. 3:18-07591)

Southern District of Ohio

THE COUNTY OF FAYETTE, OHIO, ET AL. v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 2:19-04347

Eastern District of Oklahoma

LEFLORE COUNTY BOARD OF COUNTY COMMISSIONERS v. PURDUE
PHARMA LP, ET AL., C.A. No. 6:19-00362

Western District of Oklahoma

BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY v.
MCKESSON CORPORATION, ET AL., C.A. No. 5:19-00921
BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-00926
BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-00984
BOARD OF COUNTY COMMISSIONERS OF TEXAS COUNTY v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-00987

Eastern District of Pennsylvania

ADAMS COUNTY v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:19-04438

District of South Carolina

THE STATE OF SOUTH CAROLINA v. MCKESSON CORPORATION, ET AL.,
C.A. No. 3:19-02783

Middle District of Tennessee

RHODES, ET AL. v. RHODES TECHNOLOGIES, INC., ET AL.,
C.A. No. 3:19-00885

Southern District of Texas

COUNTY OF ANGELINA v. ALLERGAN PLC, ET AL., C.A. No. 4:19-03590
COUNTY OF BURLESON v. WALMART, INC., ET AL., C.A. No. 4:19-03845

Eastern District of Virginia

THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA v.
MALLINCKRODT PLC, ET AL., C.A. No. 1:19-01446

Western District of Virginia

AMHERST COUNTY, VIRGINIA v. MALLINCKRODT PLC, ET AL.,
C.A. No. 6:19-00077
BOTETOURT COUNTY, VIRGINIA v. MALLINCKRODT PLC, ET AL.,
C.A. No. 7:19-00759

Southern District of West Virginia

HARRIS, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 2:19-00707

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

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

Southern District of Ohio

GENTILE v. MERCK & CO., INC., ET AL., C.A. No. 2:19-04174

MDL No. 2873 – **IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS
LIABILITY LITIGATION**

Motion of defendants Daikin Industries, Ltd.; Daikin America, Inc.; E.I du Pont de Nemours and Company; The Chemours Company LLC; Arkema, Inc.; Arkema France, S.A.; 3M Company; and Solvay Specialty Polymers, USA, LLC, to transfer the following action to the United States District Court for the District of South Carolina:

Southern District of Ohio

HARDWICK v. 3M COMPANY, ET AL., C.A. No. 2:18-01185

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

Oppositions of plaintiffs Brian Bentley; People of the State of Illinois, et al.; Jamie Beyer; and Rene Chaney and defendant Schwartz E-Liquid LLC to transfer of their respective following actions to the United States District Court for the Northern District of California:

Northern District of Alabama

BENTLEY v. JUUL LABS, INC., ET AL., C.A. No. 5:19-01313
MAY v. JUUL LABS, INC., ET AL., C.A. No. 6:19-01794

Northern District of Illinois

PEOPLE OF THE STATE OF ILLINOIS, ET AL. v. JUUL LABS, INC.,
C.A. No. 1:19-06301

Eastern District of Missouri

BEYER, ET AL. v. JUUL LABS, INC., ET AL., C.A. No. 4:19-02772

Southern District of Ohio

CHANEY v. JUUL LABS, INC., ET AL., C.A. No. 2:19-04145

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.

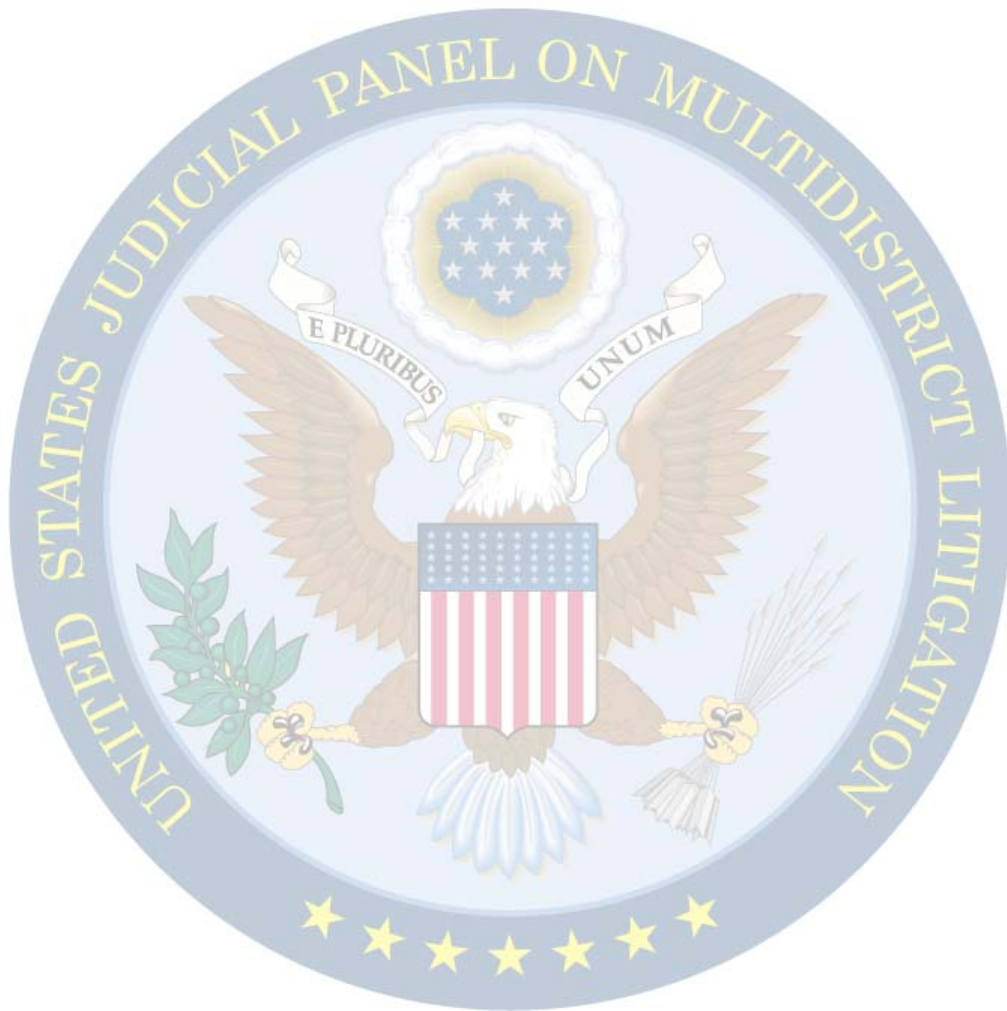
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make 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.

Hearing Session Order & Amendments



March 26, 2020

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION**

Jaren Depenning, et al. v. The Iowa Clinic, P.C., et al.,)
S.D. Iowa, C.A. No. 4:19-00386)

MDL No. 2804

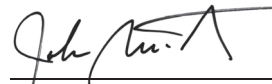
**ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE MARCH 26, 2020, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Depenning*) on December 13, 2019. Prior to expiration of that order’s 7-day stay of transmittal, plaintiffs and defendants Thomas Hansen, Pier Osweiler, and The Iowa Clinic, P.C. filed notices of opposition to the proposed transfer. The parties later filed motions and briefs to vacate the conditional transfer order. The Panel has now been advised that *Depenning* was remanded to the Iowa District Court for Polk County, Iowa by the Honorable John A. Jarvey in an order filed on February 21, 2020.

IT IS THEREFORE ORDERED that the Panel’s conditional transfer order designated as “CTO-126” filed on December 13, 2019, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on February 13, 2020, are VACATED insofar as they relate to this action.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION**

City of Holly Springs v. Purdue Pharma L.P., et al.,)
N.D. Mississippi, C.A. No. 3:19-00287) MDL No. 2804


**ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE MARCH 26, 2020, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Holly Springs*) on January 6, 2020. Prior to expiration of that order's 7-day stay of transmittal, plaintiff in *Holly Springs* filed a notice of opposition to the proposed transfer. Plaintiff later filed a motion and brief to vacate the conditional transfer order. The Panel has now been advised that, pursuant to a notice of voluntary dismissal, *Holly Springs* was dismissed in the Northern District of Mississippi on February 19, 2020.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-129" filed on January 6, 2020, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on February 13, 2020, are VACATED insofar as they relate to this action.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

AMENDMENT TO THE HEARING SESSION ORDER AND ATTACHED SCHEDULE
FILED FEBRUARY 13, 2020

In light of the concerns about the spread of the COVID-19 virus (coronavirus) in numerous communities across the country, and the danger for contagion presented by a Panel hearing, which entails numerous attorneys and jurists coming together from across the country, the Panel issues the following orders in connection with its next Hearing Session.

IT IS THEREFORE ORDERED that the March 26, 2020, Hearing Session of the Panel will be conducted telephonically at the offices of the United States Judicial Panel on Multidistrict Litigation in Washington, DC, to consider the matters previously set for consideration in Nashville, Tennessee.

IT IS FURTHER ORDERED that the Panel will consider **without oral argument all matters scheduled to be heard at the March 26, 2020, Hearing Session** pursuant to Panel Rule 11.1(c), including those matters previously listed for oral argument on Schedule A of the February 13, 2020, Hearing Session Order.

IT IS FURTHER ORDERED that the Panel reserves the prerogative, pending its further review of the scheduled matters, to either schedule oral argument or order supplemental briefing on any topic with respect to motions in MDL Nos. 2929, 2931, 2932, 2933, and 2935 listed on Schedule A of the February 13, 2020, Hearing Session Order.¹ Should the Panel do so, the Panel Clerk shall notify the parties in that matter no later than **March 19, 2020**.

IT IS FURTHER ORDERED that, if the Panel schedules oral argument in any matter for the March 26, 2020, Hearing Session, such argument shall be presented **telephonically** as directed by the Panel Clerk.

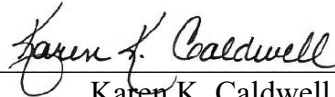
IT IS FURTHER ORDERED that, if the Panel orders supplemental briefing in any matter for the March 26, 2020, Hearing Session, the parties shall file their supplemental briefs with the Panel no later than **March 23, 2020**. No extensions of time will be granted. Unless the Panel orders supplemental briefing, briefing remains closed in all matters previously set for oral argument.

¹ The Panel previously dispensed with oral argument in MDL No. 2934 – *In re Joel Snider Litigation*, and the parties have waived oral argument in MDL No. 2930 – *In re Entresto (Sacubitril/Valsartan) Patent Litigation*.

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IT IS FURTHER ORDERED that, unless the Panel orders otherwise, **no parties or counsel need or shall be permitted to appear at the Hearing Session.**

PANEL ON MULTIDISTRICT LITIGATION



Karen K. Caldwell
Chair

Ellen Segal Huvelle
Catherine D. Perry
Matthew F. Kennelly

R. David Proctor
Nathaniel M. Gorton
David C. Norton

**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: **March 26, 2020**

LOCATION OF HEARING SESSION: Estes Kefauver Federal Building and
United States Courthouse
Courtroom A859, 8th Floor
801 Broadway
Nashville, Tennessee 37203

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:

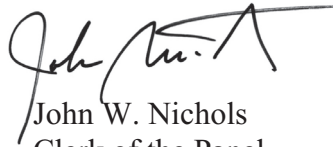
- The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions including those concerning an appropriate transferee district. Any change in position should 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 **March 2, 2020**. 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 Middle District of Tennessee

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 March 26, 2020, the Panel will convene a hearing session in Nashville, Tennessee, 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



Karen K. Caldwell
Chair

Ellen Segal Huvelle	R. David Proctor
Catherine D. Perry	Nathaniel M. Gorton
Matthew F. Kennelly	David C. Norton

SCHEDULE OF MATTERS FOR HEARING SESSION
March 26, 2020 -- Nashville, Tennessee

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. 2929 – **IN RE: PREVAGEN PRODUCTS MARKETING AND SALES
PRACTICES LITIGATION (NO. II)**

Motion of defendants Quincy Bioscience Holding Company, Inc.; Quincy Bioscience, LLC; Prevagen, Inc. d/b/a Sugar River Supplements; Quincy Bioscience Manufacturing, LLC; Mark Underwood; and Michael Beaman to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of Florida

COLLINS v. QUINCY BIOSCIENCE, LLC, C.A. No. 1:19-22864

Southern District of New York

SPATH v. QUINCY BIOSCIENCE HOLDING COMPANY, INC., ET AL.,
C.A. No. 1:19-03521

VANDERWERFF v. QUINCY BIOSCIENCE HOLDING COMPANY, INC., ET AL.,
C.A. No. 1:19-07582

KARATHANOS v. QUINCY BIOSCIENCE HOLDING COMPANY, INC., ET AL.,
C.A. No. 1:19-08023

Western District of Texas

ENGERT, ET AL. v. QUINCY BIOSCIENCE, LLC, C.A. No. 1:19-00183

MDL No. 2930 – IN RE: ENTRESTO (SACUBITRIL/VALSARTAN) PATENT LITIGATION

Motion of plaintiff Novartis Pharmaceuticals Corporation to transfer the following actions to the United States District Court for the District of Delaware:

District of Delaware

NOVARTIS PHARMACEUTICALS CORPORATION v. ALKEM LABORATORIES LTD., ET AL., C.A. No. 1:19-01979
NOVARTIS PHARMACEUTICALS CORPORATION v. ALEMBIC PHARMACEUTICALS LIMITED, ET AL., C.A. No. 1:19-02021
NOVARTIS PHARMACEUTICALS CORPORATION v. DR. REDDY'S LABORATORIES, INC., ET AL., C.A. No. 1:19-02053

Northern District of West Virginia

NOVARTIS PHARMACEUTICALS CORPORATION v. MYLAN PHARMACEUTICALS, INC., ET AL., C.A. No. 1:19-00201

MDL No. 2931 – IN RE: DELTA DENTAL ANTITRUST LITIGATION

Motion of plaintiffs Robert S. Dolgow D.D.S., P.A.; B. Kyle Benton, D.D.S. P.A.; Kaufman & Kaufman Smile Design Studio LLC; Legacy Dental Associates P.C.; Dr. Rick Lindley, DDS, FICD; Dr. Steven P. Dultz DMD; Simon and Simon, PC.; Tooth Town Pediatric Dentistry, PLLC; Mary M. Fisher, DDS, P.C.; Bemus Point Dental, LLC; Rittenhouse Smiles, P.C.; Timothy C. Verharen, D.D.S.; and Drs. DelMonico and Trocchio, Ltd., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Southern District of Florida

OBENG v. DELTA DENTAL PLANS ASSOCIATION, ET AL., C.A. No. 1:19-25072

Northern District of Illinois

IN RE DELTA DENTAL ANTITRUST LITIGATION, C.A. No. 1:19-06734
B. KYLE BENTON, P.A. v. DELTA DENTAL INSURANCE COMPANY, ET AL., C.A. No. 1:19-06739
KAUFMAN & KAUFMAN SMILE DESIGN STUDIO LLC v. DELTA DENTAL INSURANCE COMPANY, ET AL., C.A. No. 1:19-06743
LEGACY DENTAL ASSOCIATES, P.C. v. DELTA DENTAL INSURANCE COMPANY, ET AL., C.A. No. 1:19-06744

DR. RICK LINDLEY, DDS, FICD v. DELTA DENTAL INSURANCE COMPANY,
ET AL., C.A. No. 1:19-06747

DULTZ v. DELTA DENTAL INSURANCE CO., ET AL., C.A. No. 1:19-06758
SIMON AND SIMON, PC v. DELTA DENTAL PLANS ASSOCIATION, ET AL.,
C.A. No. 1:19-06776

MARY M. FISHER, DDS, P.C. v. DELTA DENTAL INSURANCE COMPANY,
ET AL., C.A. No. 1:19-07090

TOOTH TOWN PEDIATRIC DENTISTRY, PLLC v. DELTA DENTAL INSURANCE
COMPANY, ET AL., C.A. No. 1:19-07279

BEMUS POINT DENTAL, LLC v. DELTA DENTAL INSURANCE COMPANY,
ET AL., C.A. No. 1:19-07362

RITTENHOUSE SMILES, P.C. v. DELTA DENTAL INSURANCE COMPANY,
ET AL., C.A. No. 1:19-07395

AMERICAN DENTAL ASSOCIATION, ET AL. v. DELTA DENTAL INSURANCE
COMPANY, ET AL., C.A. No. 1:19-07808

Southern District of Mississippi

DICKEY v. DELTA DENTAL PLANS ASSOCIATION, ET AL., C.A. No. 3:19-00910

MDL No. 2932 – IN RE: WELLS FARGO MORTGAGE MODIFICATION LITIGATION

Motion of plaintiffs Monty Coordes, et al., 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 Eastern District of Washington:

Northern District of California

HERNANDEZ v. WELLS FARGO BANK, N.A., C.A. No. 3:18-07354

Eastern District of Kentucky

WEST, ET AL. v. WELLS FARGO BANK, N.A., C.A. No. 5:19-00286

District of New Jersey

VAN BRUNT v. WELLS FARGO BANK, N.A., C.A. No. 3:19-00170

DUNCAN v. WELLS FARGO BANK, N.A., C.A. No. 3:19-00172

Southern District of New York

LIGUORI, JR., ET AL. v. WELLS FARGO BANK, N.A., C.A. No. 7:19-10677

Southern District of Ohio

RYDER, ET AL. v. WELLS FARGO BANK N.A., C.A. No. 1:19-00638

Western District of Pennsylvania

DORE v. WELLS FARGO BANK, C.A. No. 2:19-01601

Eastern District of Washington

COORDES, ET AL. v. WELLS FARGO BANK NA, C.A. No. 2:19-00052

MDL No. 2933 – **IN RE: TRANSUNION RENTAL SCREENING SOLUTIONS, INC.,
FAIR CREDIT REPORTING ACT (FCRA) LITIGATION**

Motion of defendants TransUnion Rental Screening Solutions, Inc., and Trans Union LLC to transfer the following actions to the United States District Court for the Northern District of Georgia:

Central District of California

LEWIS v. TRANSUNION RENTAL SCREENING SOLUTIONS, INC.,
C.A. No. 2:20-00531

ROBINSON v. TRANSUNION RENTAL SCREENING SOLUTIONS, INC.,
C.A. No. 8:19-01994

Northern District of Georgia

HALL v. TRANSUNION RENTAL SCREENING SOLUTIONS, INC.,
C.A. No. 1:18-05141

Eastern District of Pennsylvania

MCINTYRE v. TRANSUNION, LLC, ET AL., C.A. No. 2:18-03865

Eastern District of Virginia

FRANCIS v. TRANSUNION RENTAL SCREENING SOLUTIONS, LLC,
C.A. No. 1:19-01185

HECTOR v. TRANS UNION RENTAL SCREENING SOLUTIONS, INC.,
C.A. No. 3:19-00790

MDL No. 2934 – **IN RE: JOEL SNIDER LITIGATION**

Motion of plaintiff Joel Snider to transfer the following actions to a single United States district court:

Middle District of Pennsylvania

SNIDER v. PENNSYLVANIA DEPT. OF CORRECTIONS, ET AL.,

C.A. No. 4:15-00951

SNIDER v. MCKEEHAN, ET AL., C.A. No. 4:18-00801

Western District of Pennsylvania

SNIDER v. WITTIG, ET AL., C.A. No. 2:18-00703

SNIDER v. GILMORE, ET AL., C.A. No. 2:18-00735

MDL No. 2935 - **IN RE: ALEXSAM, INC., ('608 & '787) PATENT AND CONTRACT LITIGATION**

Motion of plaintiff AlexSam, Inc., to transfer the following actions to the United States District Court for the Eastern District of Texas:

Northern District of California

ALEXSAM, INC. v. WAGEWORKS, INC., C.A. No. 3:19-04538

District of Connecticut

ALEXSAM, INC. v. AETNA INC., C.A. No. 3:19-01025

Eastern District of New York

ALEXSAM, INC. v. MASTERCARD INTERNATIONAL INCORPORATED,

C.A. No. 1:15-02799

Eastern District of Texas

ALEXSAM, INC. v. SIMON PROPERTY GROUP (TEXAS), L.P.,

C.A. No. 2:19-00331

District of Utah

ALEXSAM v. HEALTHEQUITY, C.A. No. 2:19-00445

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

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

District of Massachusetts

VROMAN v. DJD MEDICAL, INC., ET AL., C.A. No. 1:19-12314

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

Motion of defendants Syngenta Corporation; Syngenta Crop Protection, LLC; and Syngenta Seeds, LLC, to transfer the following action to the United States District Court for the District of Kansas:

District of Minnesota

HEARTLAND CORN PRODUCTS v. SYNGENTA SEEDS, LLC, ET AL.,
C.A. No. 0:19-03060

MDL No. 2606 – **IN RE: BENICAR (OLMESARTAN) PRODUCTS LIABILITY LITIGATION**

Motion of defendants Daiichi Sanyko, Inc., and Daiichi Sanyko US Holdings, Inc., to transfer the following action to the United States District Court for the District of New Jersey:

Western District of Oklahoma

HANDLEY, ET AL. v. DAIICHI SANKYO, INC., ET AL., C.A. No. 5:20-00067

MDL No. 2627 – **IN RE: LUMBER LIQUIDATORS CHINESE-MANUFACTURED FLOORING PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Omran Chaudhary, et al., to transfer of the following action to the United States District Court for the Eastern District of Virginia:

Eastern District of New York

CHAUDHARY, ET AL. v. LUMBER LIQUIDATOR, INC., ET AL.,
C.A. No. 1:19-05812

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

Opposition of plaintiff Robert Charles Estelle to transfer of the following action to the United States District Court for the Northern District of Florida:

District of Minnesota

ESTELLE v. BRISTOL-MYERS SQUIBB COMPANY, ET AL., C.A. No. 0:20-00354

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

Opposition of plaintiffs Tammy Weaver, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Northern District of Georgia

WEAVER, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:20-00261

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

Oppositions of plaintiffs and defendants The Iowa Clinic, P.C.; Thomas Hansen, M.D.; and Pier Osweiler, ARNP, to transfer of their respective following actions to the United States District Court for the Northern District of Ohio and motion of plaintiff Ronald Bass, Sr., to transfer the *Bass* action to the United States District Court for the Northern District of Ohio:

Central District of California

CITY OF FULLERTON, ET AL. v. CEPHALON, INC., ET AL., C.A. No. 8:19-02235

Southern District of Iowa

DEPENNING, ET AL. v. THE IOWA CLINIC, P.C., ET AL., C.A. No. 4:19-00386

Northern District of Mississippi

CITY OF HOLLY SPRINGS v. PURDUE PHARMA L.P., ET AL.,
C.A. No. 3:19-00287

Southern District of Mississippi

SINGING RIVER HEALTH SYSTEM, ET AL. v. GRACE, ET AL.,
C.A. No. 1:19-00937

Eastern District of Missouri

CLINTON COUNTY, MISSOURI v. ALLERGAN PLC, ET AL., C.A. No. 4:19-03169
PIKE COUNTY, MISSOURI v. ALLERGAN PLC, ET AL., C.A. No. 4:19-03170
RAY COUNTY, MISSOURI v. ALLERGAN PLC, ET AL., C.A. No. 4:19-03300
VERNON COUNTY, MISSOURI v. ALLERGAN PLC, ET AL., C.A. No. 4:19-03302
LAWRENCE COUNTY, MISSOURI v. ALLERGAN PLC, ET AL.,
C.A. No. 4:20-00076
HENRY COUNTY, MISSOURI v. ALLERGAN PLC, ET AL., C.A. No. 4:20-00077

District of New Jersey

BASS v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:19-19709

District of New Mexico

CITY OF SANTA FE v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:19-01105
CITY OF ALBUQUERQUE v. TEVA PHARMACEUTICALS USA, INC., ET AL.,
C.A. No. 1:19-01168

District of Nevada

CITY OF HENDERSON v. WALGREENS BOOTS ALLIANCE, INC., ET AL.,
C.A. No. 2:19-02145

Eastern District of Oklahoma

COAL COUNTY BOARD OF COUNTY COMMISSIONERS v. PURDUE PHARMA,
LP, ET AL., C.A. No. 6:19-00405

Western District of Oklahoma

JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-01108
LINCOLN COUNTY BOARD OF COUNTY COMMISSIONERS v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-01109
WOODWARD COUNTY BOARD OF COUNTY COMMISSIONERS v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-01110
BOARD OF COUNTY COMMISSIONERS OF NOBLE COUNTY v. PURDUE
PHARMA LP, ET AL., C.A. No. 5:19-01127

Southern District of Texas

DALLAS COUNTY HOSPITAL DISTRICT – PARKLAND MEMORIAL HOSPITAL,
ET AL. v. AMNEAL PHARMACEUTICALS, INC., ET AL., C.A. No. 4:19-04834

Eastern District of Virginia

ISLE OF WIGHT COUNTY v. MALLINCKRODT, PLC, ET AL.,
C.A. No. 2:20-00042
NORTHAMPTON COUNTY, v. MALLINCKRODT, PLC, ET AL.,
C.A. No. 2:20-00043
KING AND QUEEN COUNTY, v. MALLINCKRODT, PLC, ET AL.,
C.A. No. 3:20-00037

Western District of Virginia

CITY OF BUENA VISTA, VIRGINIA v. MALLINCKRODT PLC, ET AL.,
C.A. No. 6:20-00005

MDL No. 2833 – **IN RE: FEDLOAN STUDENT LOAN SERVICING LITIGATION**

Motion of Plaintiff’s Co-Lead Counsel and Executive Committee Members in MDL No. 2833 to transfer the following actions to the United States District Court for Eastern District of Pennsylvania:

District of District of Columbia

WEINGARTEN, ET AL. v. DEVOS, ET AL., C.A. No. 1:19-02056

District of Utah

CHRISTENSEN, ET AL. v. DEVOS, ET AL., C.A. No. 2:19-00509

MDL No. 2873 – **IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS
LIABILITY LITIGATION**

Opposition of plaintiff Thomas F. Kovach to transfer of the *Kovach* action to the United States District Court for the District of South Carolina and motion of defendants E. I. DuPont de Nemours and Company and The Chemours Company to transfer the eight actions pending in United States District Court for the Eastern District of New York to the United States District Court for the District of South Carolina:

Eastern District of New York

WATER AUTHORITY OF WESTERN NASSAU COUNTY v. THE 3M COMPANY,
ET AL., C.A. No. 2:19-04608

PORT WASHINGTON WATER DISTRICT v. THE 3M COMPANY, ET AL.,
C.A. No. 2:19-04609

INCORPORATED VILLAGE OF MINEOLA v. THE 3M COMPANY, ET AL.,
C.A. No. 2:19-04610

CARLE PLACE WATER DISTRICT v. THE 3M COMPANY, ET AL.,
C.A. No. 2:19-04611

INCORPORATED VILLAGE OF GARDEN CITY v. THE 3M COMPANY, ET AL.,
C.A. No. 2:19-04612

ROSLYN WATER DISTRICT v. THE 3M COMPANY, ET AL., C.A. No. 2:19-04613

WATER AUTHORITY OF GREAT NECK NORTH v. THE 3M COMPANY, ET AL.,
C.A. No. 2:19-06613

GARDEN CITY PARK FIRE AND WATER DISTRICT v. THE 3M COMPANY, ET
AL., C.A. No. 2:19-06615

Southern District of New York

KOVACH v. UNITED STATES OF AMERICA, ET AL., C.A. No. 7:19-07065

**MDL No. 2875 – IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiff Rashida Bokhari and defendant Legacy Pharmaceutical Packaging, LLC to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Northern District of California

BOKHARI v. TORRENT PHARMACEUTICALS LIMITED, ET AL.,
C.A. No. 4:19-08045

Eastern District of Michigan

GARRISON v. CAMBER PHARMACEUTICALS, INC., ET AL., C.A. No. 5:19-12536

**MDL No. 2885 – IN RE: 3M COMBAT ARMS EARPLUG PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiff Christopher Graves to transfer of the following action to the United States District Court for the Northern District of Florida:

District of Minnesota

GRAVES v. 3M COMPANY, ET AL., C.A. No. 0:19-03094

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

Oppositions of plaintiffs Tammy Lewis and Tyler Eisenhauer and defendants Evolv, LLC, and Axiocore Corporation d/b/a Yogi E Liquid to transfer of their respective following actions to the United States District Court for the Northern District of California:

Northern District of Illinois

LEWIS v. JUUL LABS, INC., C.A. No. 1:19-07787

Eastern District of Pennsylvania

EISENHAUER v. JUUL LABS, INC., ET AL., C.A. No. 2:20-00343

Western District of Texas

LINDSTROM v. JUUL LABS, INC., ET AL., C.A. No. 1:20-00057

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.

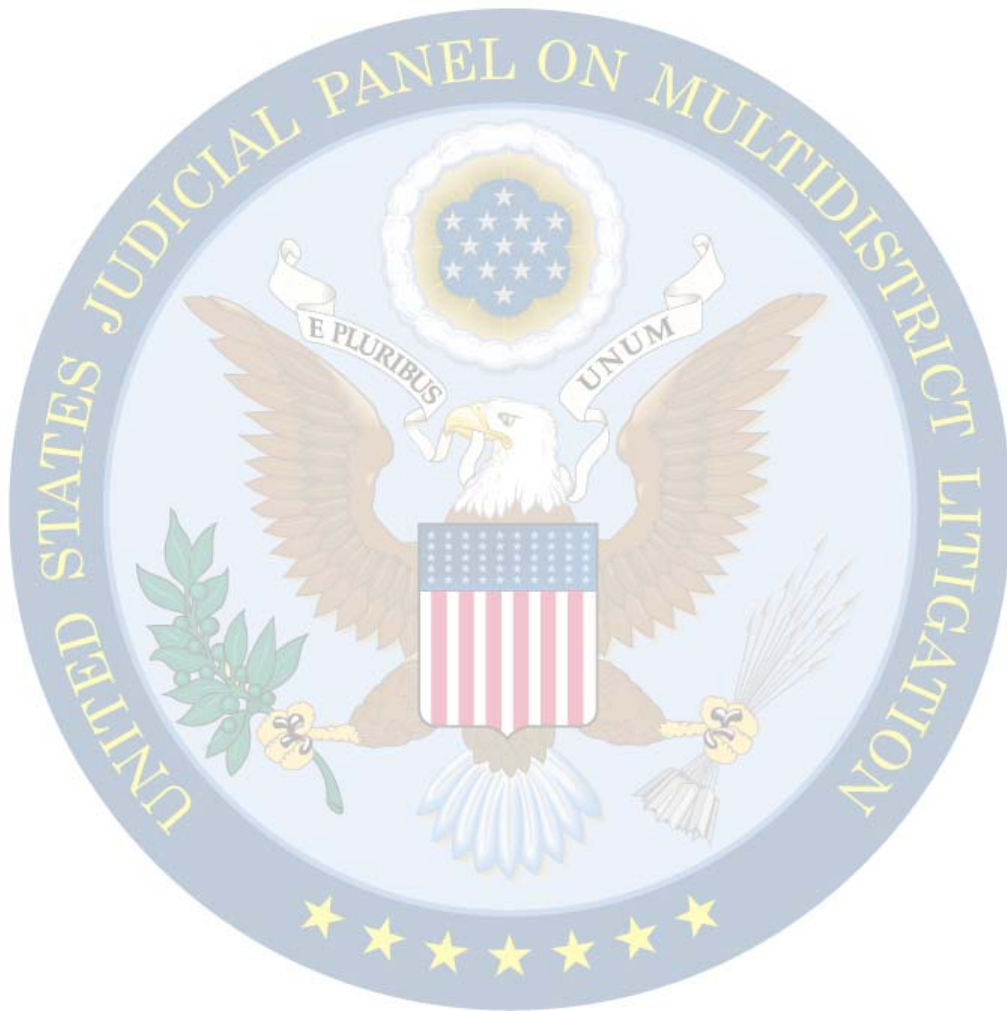
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make 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.

Hearing Session Order & Amendments



May 28, 2020

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION**

Fayetteville Arkansas Hospital Company, LLC. et al v.)
Amneal Pharmaceuticals, LLC. et al,)
W.D. Arkansas, C.A. No. 5:20-05036)

MDL No. 2804

**ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE MAY 28, 2020, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Fayetteville Hospital*) on March 5, 2020. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs in *Fayetteville Hospital* filed a notice of opposition to the proposed transfer. Plaintiffs later filed a motion and brief to vacate the conditional transfer order. The Panel has now been advised that *Fayetteville Hospital* was remanded to the Circuit Court of Washington County, Arkansas, by the Honorable Timothy L. Brooks in an order filed on May 18, 2020.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-140" filed on March 5, 2020, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on April 24, 2020, are VACATED insofar as they relate to this action.

FOR THE PANEL



John W. Nichols
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: ZANTAC (RANITIDINE) PRODUCTS
LIABILITY LITIGATION**

Koppell, et al. v. Perrigo Company PLC, et al.,)
S.D. New York, C.A. No. 1:19-10253) MDL No. 2924

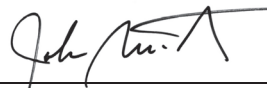
**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER
AND VACATING THE MAY 28, 2020, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Koppell*) on February 7, 2020. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs in *Koppell* filed a notice of opposition to the proposed transfer and its' motion and brief to vacate the conditional transfer order. Plaintiffs have withdrawn their opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-1" filed on February 7, 2020, is LIFTED. The action is transferred to the Southern District of Florida for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Robin L. Rosenberg.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on April 24, 2020, are VACATED insofar as they relate to this matter.

FOR THE PANEL



John W. Nichols
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: DEVACURL HAIR CARE PRODUCTS
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

MDL No. 2940

(SEE ATTACHED SCHEDULE)

**ORDER DEEMING MOTION MOOT
AND VACATING THE MAY 28, 2020, HEARING SESSION ORDER**

Before the Panel is a motion filed by plaintiffs Ginger Dixon, et al., seeking centralization of the actions on the attached schedule, pursuant to 28 U.S.C. § 1407, in the United States District Court of the Southern District of New York for coordinated or consolidated pretrial proceedings. The Panel has now been advised that the listed Central District of California and District of New Jersey actions were voluntarily dismissed on May 15, 2020, thus depriving this litigation of its multidistrict character. Plaintiffs have moved to withdraw their motion for transfer.

IT IS THEREFORE ORDERED that the motion filed by plaintiffs Ginger Dixon, et al., for transfer under 28 U.S.C. § 1407 is DEEMED MOOT.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on April 24, 2020, are VACATED insofar as they relate to this matter.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: DEVACURL HAIR CARE PRODUCTS
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

MDL No. 2940

SCHEDULE A

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
CALIFORNIA CENTRAL			
CAC	2	20-02048	Shakonda Harts et al v. Deva Concepts, LLC
NEW JERSEY			
NJ	2	20-02318	HALL v. DEVA CONCEPTS, LLC
NEW YORK SOUTHERN			
NYS	1	20-01234	IN RE: DEVA CONCEPTS PRODUCTS LIABILITY LITIGATION
NYS	1	20-01520	Ciccia et al v. Deva Concepts, LLC
NYS	1	20-01657	Schwartz et al v. Deva Concepts, LLC
NYS	1	20-02045	Bolash et al v. Deva Concepts, LLC
NYS	1	20-02047	Abdulahi et al v. Deva Concepts, LLC
NYS	1	20-02156	Reilly v. Deva Concepts, LLC

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: **May 28, 2020**

LOCATION OF HEARING SESSION: United States Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, NE
Washington, DC 20544-0005

TIME OF HEARING SESSION: **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 **by videoconference or teleconference** 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 participate in the Hearing Session videoconference or teleconference.
- 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 participate in the Hearing Session.

ORAL ARGUMENT:

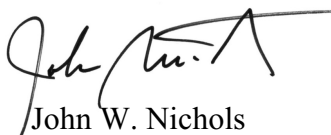
- **THE PANEL WILL HEAR ORAL ARGUMENT BY VIDEOCONFERENCE OR TELECONFERENCE.** Further details regarding how the Hearing Session will be conducted—including sign-in information, allocation of argument times, and a mandatory training session for arguing attorneys—shall be provided after the filing of the parties' Notices of Presentation or Waiver of 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.

- 2 -

- 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 **May 4, 2020**. 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

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

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

IT IS ORDERED that on May 28, 2020, the Panel will convene a hearing session in Washington, DC, 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, in light of the ongoing COVID-19 pandemic, the Panel will hear oral argument on the matters listed on Section A of the attached Schedule **by videoconference or teleconference**, 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



Karen K. Caldwell
Chair

Ellen Segal Huvelle	R. David Proctor
Catherine D. Perry	Nathaniel M. Gorton
Matthew F. Kennelly	David C. Norton

SCHEDULE OF MATTERS FOR HEARING SESSION
May 28, 2020 -- Washington, DC (Videoconference or Teleconference)

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. 2936 – **IN RE: SMITTY'S CAM2 303 TRACTOR HYDRAULIC FLUID
MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

Motion of defendants Smitty's Supply, Inc., and CAM2 International, L.L.C., to transfer the following actions to the United States District Court for the Eastern District of Louisiana:

Eastern District of Arkansas

BUFORD v. SMITTY'S SUPPLY, INC., ET AL., C.A. No. 1:19-00082

Eastern District of California

FOSDICK, ET AL. v. SMITTY'S SUPPLY, INC., ET AL., C.A. No. 2:19-01850

Northern District of Iowa

BLACKMORE, ET AL. v. SMITTY'S SUPPLY, INC., C.A. No. 5:19-04052

District of Kansas

ZORNES, ET AL. v. SMITTY'S SUPPLY, INC., ET AL., C.A. No. 2:19-02257

Western District of Kentucky

WURTH v. SMITTY'S SUPPLY, INC., ET AL., C.A. No. 5:19-00092

District of Minnesota

KLINGENBERG v. SMITTY'S SUPPLY, INC., ET AL., C.A. No. 0:19-02684

Western District of Missouri

GRAVES, ET AL. v. CAM2 INTERNATIONAL LLC, ET AL., C.A. No. 3:19-05089

Southern District of Texas

MABIE v. SMITTY'S SUPPLY, INC., ET AL., C.A. No. 4:19-03308

MDL No. 2938 – **IN RE: EVENFLO COMPANY, INC., MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Mike Xavier, et al., and Carla Matthews to transfer the following actions to the United States District Court for the District of Massachusetts and motion of plaintiff Najah Rose to transfer the following actions to the United States District Court for the Eastern District of Wisconsin:

Eastern District of California

PERRY v. EVENFLO COMPANY, INC., C.A. No. 2:20-00377

District of Massachusetts

XAVIER, ET AL. v. EVENFLO COMPANY, INC., C.A. No. 1:20-10336
EPPERSON, ET AL. v. EVENFLO COMPANY, INC., C.A. No. 1:20-10359
MATTHEWS v. EVENFLO COMPANY, INC., C.A. No. 1:20-10379

District of Minnesota

ANDERSON v. EVENFLO COMPANY, INC., C.A. No. 0:20-00569

Eastern District of New York

SCHNITZER v. EVENFLO COMPANY, INC., C.A. No. 2:20-01000

Eastern District of North Carolina

RAMASAMY v. EVENFLO COMPANY, INC., C.A. No. 5:20-00068

Southern District of Ohio

WILDER v. EVENFLO COMPANY, INC., C.A. No. 3:20-00061
SAPEIKA v. EVENFLO COMPANY, INC., C.A. No. 3:20-00068

District of South Carolina

ALSTON v. EVENFLO COMPANY, INC., C.A. No. 9:20-00801

Eastern District of Wisconsin

ROSE v. EVENFLO COMPANY, INC., C.A. No. 2:20-00287

MDL No. 2939 – **IN RE: FAMILY DOLLAR STORES, INC., ACCESS FOR
INDIVIDUALS WITH DISABILITIES LITIGATION**

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

District of Colorado

AGARDY v. FAMILY DOLLAR STORES, INC., C.A. No. 1:19-03381

Northern District of Illinois

RENEAU v. FAMILY DOLLAR STORES, INC., C.A. No. 1:20-00938

Western District of Pennsylvania

LEWANDOWSKI v. FAMILY DOLLAR STORES, INC., C.A. No. 2:19-00858

MDL No. 2940 – **IN RE: DEVACURL HAIR CARE PRODUCTS MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Ginger Dixon, et al., to transfer the following actions to the United States District Court for the Southern District of New York:

Central District of California

HARTS, ET AL. v. DEVA CONCEPTS, LLC, C.A. No. 2:20-02048

District of New Jersey

HALL v. DEVA CONCEPTS, LLC, C.A. No. 2:20-02318

Southern District of New York

DIXON, ET AL. v. DEVA CONCEPTS, LLC, C.A. No. 1:20-01234
CICCIA, ET AL. v. DEVA CONCEPTS, LLC, C.A. No. 1:20-01520
SCHWARTZ, ET AL. v. DEVA CONCEPTS, LLC, C.A. No. 1:20-01657
BOLASH, ET AL. v. DEVA CONCEPTS, LLC, C.A. No. 1:20-02045
ABDULAH, ET AL. v. DEVA CONCEPTS, LLC, C.A. No. 1:20-02047
REILLY v. DEVA CONCEPTS, LLC, C.A. No. 1:20-02156

Eastern District of North Carolina

CALABRESE v. DEVA CONCEPTS, LLC, C.A. No. 5:20-00080

MDL No. 2941 – **IN RE: NINE WEST LBO SECURITIES LITIGATION**

Motion of plaintiffs Marc S. Kirschner and Wilmington Savings Fund Society, FSB, to transfer the following actions to the United States District Court for the District of Massachusetts:

Central District of California

KIRSCHNER v. DICKSON, ET AL., C.A. No. 2:20-01480
WILMINGTON SAVINGS FUND SOCIETY, FSB v. DICKSON, ET AL.,
C.A. No. 2:20-01484
KIRSCHNER, ET AL. v. LOS ANGELES CAPITAL MANAGEMENT AND EQUITY
RESEARCH, INC., ET AL., C.A. No. 2:20-01922

Southern District of Florida

KIRSCHNER v. CADE, ET AL., C.A. No. 0:20-60343
WILMINGTON SAVINGS FUND SOCIETY, FSB v. CADE, ET AL.,
C.A. No. 0:20-60344

Northern District of Illinois

KIRSCHNER v. GEORGIADIS, ET AL., C.A. No. 1:20-01129
WILMINGTON SAVINGS FUND SOCIETY, FSB v. GEORGIADIS, ET AL.,
C.A. No. 1:20-01136

District of Massachusetts

WILMINGTON SAVINGS FUND SOCIETY, FSB v. CARD, ET AL.,

C.A. No. 1:20-10286

KIRSCHNER v. CARD, ET AL., C.A. No. 1:20-10288

KIRSCHNER v. CARD, ET AL., C.A. No. 1:20-10396

WILMINGTON SAVINGS FUND SOCIETY, FSB, AS SUCCESSOR INDENTURE
TRUSTEE FOR THE 6.875% SENIOR NOTES DUE 2019, THE 8.25% SENIOR
NOTES DUE 2019, AND THE 6.125% SENIOR NOTES DUE 2034 OF NINE v.
CARD, ET AL., C.A. No. 1:20-10398

District of New Jersey

KIRSCHNER, ET AL. v. MCCLAIN, ET AL., C.A. No. 2:20-01768

Northern District of Texas

KIRSCHNER, ET AL. v. DFA INVESTMENT DIMENSIONS GROUP, INC. US
CORE EQUITY 1 PORTFOLIO, ET AL., C.A. No. 3:20-00374

SECTION B

MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

Motion of defendant DePuy Orthopaedics, Inc., to transfer the following action to the United States District Court for the Northern District of Texas:

Western District of Wisconsin

BOYER, ET AL. v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 3:19-01034

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

Oppositions of plaintiffs Martha Cox, et al.; Connie Denney; Cheryl Sumner; and Velma Stalnaker to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Middle District of Georgia

COX, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:20-00030

Northern District of Georgia

DENNEY v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:20-00756

Southern District of Georgia

SUMNER v. JOHNSON & JOHNSON, ET AL., C.A. No. 4:20-00035

Eastern District of Missouri

STALNAKER v. JOHNSON & JOHNSON, INC., ET AL., C.A. No. 4:20-00356

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

Opposition of plaintiff Gabriel J. Caporale to transfer of the following action to the United States District Court for the District of Maryland:

Northern District of Illinois

CAPORALE v. SMITH & NEPHEW, INC., ET AL., C.A. No. 1:20-01263

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

Oppositions of certain plaintiffs and defendants Tom Bruce Longest, Jr., M.D., and Bruce Family Medical Center to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Western District of Arkansas

FAYETTEVILLE ARKANSAS HOSPITAL COMPANY, LLC., ET AL. v. AMNEAL
PHARMACEUTICALS, LLC. ET AL., C.A. No. 5:20-05036

Northern District of Mississippi

RUSSELL v. WISNIEWSKI, M.D., ET AL., C.A. No. 1:20-00021

Eastern District of Missouri

BARTON COUNTY, MISSOURI v. ALLERGAN PLC, ET AL., C.A. No. 4:20-00387

Western District of Oklahoma

BOARD OF COUNTY COMMISSIONERS OF COMANCHE COUNTY v.
CEPHALON, INC., ET AL., C.A. No. 5:20-00150
BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY v. CEPHALON,
INC., ET AL., C.A. No. 5:20-00159
BOARD OF COUNTY COMMISSIONERS OF TILLMAN COUNTY v. CEPHALON,
INC., ET AL., C.A. No. 5:20-00161
BOARD OF COUNTY COMMISSIONERS OF ROGER MILLS COUNTY v.
CEPHALON, INC., ET AL., C.A. No. 5:20-00163

Eastern District of Pennsylvania

BEDFORD COUNTY v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:20-01385

Eastern District of Virginia

CITY OF FAIRFAX, VA v. V. MALLINCKRODT PLC, ET AL., C.A. No. 1:20-00218
STAFFORD COUNTY, VA v. V. MALLINCKRODT PLC, ET AL.,

C.A. No. 1:20-00261

GOOCHLAND COUNTY, VA v. V. MALLINCKRODT, PLC, ET AL.,

C.A. No. 3:20-00051

CHESTERFIELD COUNTY, VA v. V. MALLINCKRODT PLC, ET AL.,

C.A. No. 3:20-00064

HENRICO COUNTY, VA v. V. MALLINCKRODT PLC, ET AL.,

C.A. No. 3:20-00077

MECKLENBURG COUNTY, VA v. V. MALLINCKRODT PLC, ET AL.,

C.A. No. 3:20-00175

Western District of Virginia

CITY OF WINCHESTER, VIRGINIA v. MALLINCKRODT PLC, ET AL.,

C.A. No. 5:20-00013

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

Opposition of defendants Merck & Co., Inc., and Merck Sharp & Dohme Corp., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Southern District of Ohio:

Eastern District of Pennsylvania

GENTILE v. MERCK & CO., INC., ET AL., C.A. No. 2:20-2000 (S.D. Ohio,
C.A. No. 2:19-04174)

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

Opposition of plaintiff Janene Trujillo to transfer of the following action to the United States District Court for the Southern District of New York:

District of Nevada

TRUJILLO v. ZIMMER US, INC., ET AL., C.A. No. 3:19-00056

MDL No. 2873 – **IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs State of New Mexico, et al., to transfer of the following action to the United States District Court for the District of South Carolina:

District of New Mexico

STATE OF NEW MEXICO, ET AL. v. UNITED STATES, ET AL.,
C.A. No. 1:19-00178

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

Oppositions of plaintiff Breathe DC and defendant NJOY, LLC, to transfer of their respective following actions to the United States District Court for the Northern District of California:

District of District of Columbia

BREATHE DC v. JUUL LABS, INC., C.A. No. 1:20-00619

Eastern District of Tennessee

LANKFORD v. JUUL LABS, INC., ET AL., C.A. No. 4:20-00005

MDL No. 2924 – **IN RE: ZANTAC (RANITIDINE) PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs Stacey Koppell, et al., to transfer of the following action to the United States District Court for the Southern District of Florida:

Southern District of New York

KOPPELL, ET AL. v. PERRIGO COMPANY PLC, ET AL., C.A. No. 1:19-10253

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.

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

SUPPLEMENTAL NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed on April 24, 2020, supplemental notice is hereby given regarding the May 28, 2020, hearing session scheduled to consider various matters under 28 U.S.C. § 1407.

ORAL ARGUMENT:

- **THE PANEL WILL HEAR ORAL ARGUMENT BY VIDEOCONFERENCE USING THE ZOOM MEETING APP.** Oral argument will begin at 9:30 a.m.
- **Counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument will be provided access to the videoconference.**
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may do so by completing a transcript request form at <https://www.dcd.uscourts.gov/content/request-transcript> and selecting Bryan A. Wayne as the court reporter.
- Additionally, an audio recording of the oral argument will be made available on the Panel website after the Hearing Session has concluded. **All other recording of the Hearing Session is prohibited.**
- The Panel has allocated argument times for the dockets listed on Schedule A of the initial Notice of Hearing Session:

MDL No. 2936 – IN RE: SMITTY’S/CAM2 303 TRACTOR HYDRAULIC FLUID MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL No. 2938 – IN RE: EVENFLO COMPANY, INC., MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL No. 2939 – IN RE: FAMILY DOLLAR STORES, INC., ACCESS FOR INDIVIDUALS WITH DISABILITIES LITIGATION

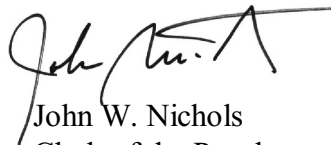
MDL No. 2940 – IN RE: DEVACURL HAIR CARE PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL No. 2941 – IN RE: NINE WEST LBO SECURITIES LITIGATION

Counsel who submitted a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument do not automatically receive argument time. Per Panel practice, argument time will be allocated to avoid multiple counsel presenting duplicative argument advocating a common position.

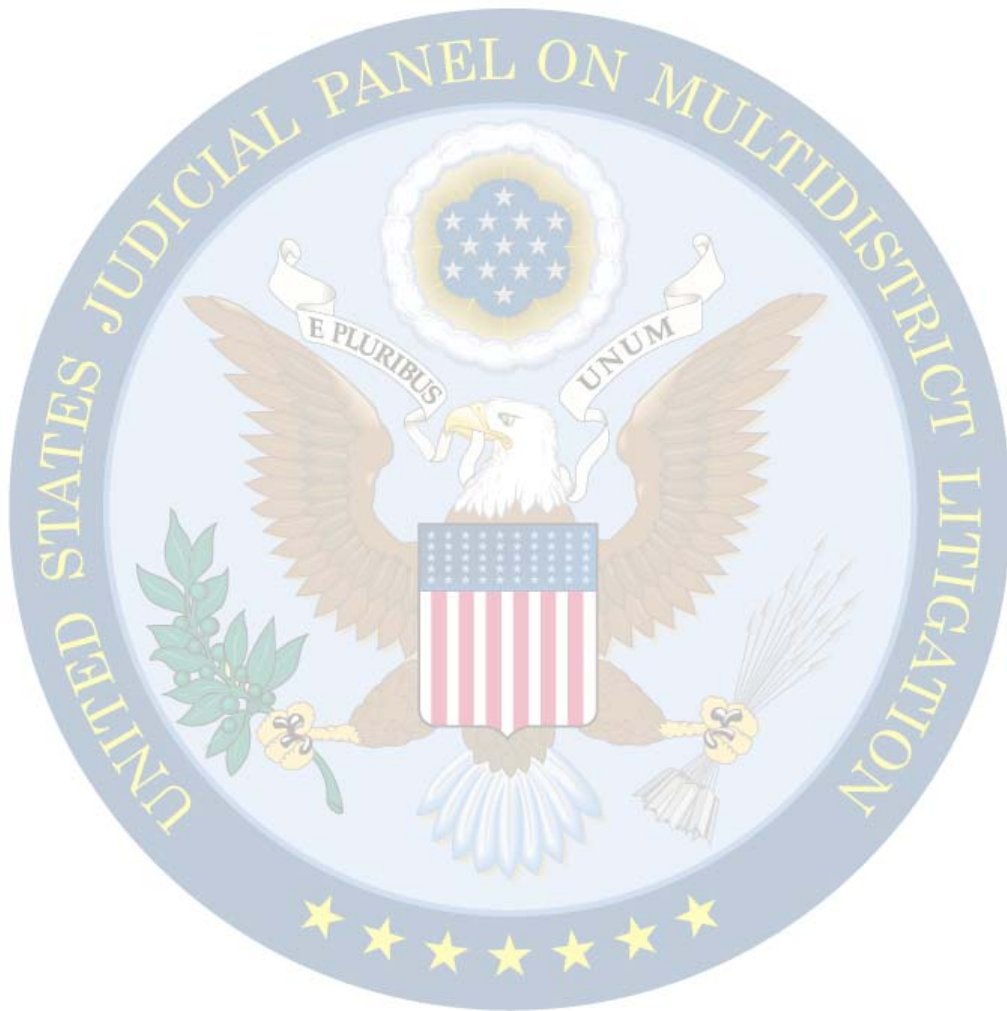
- **All counsel who are allocated argument time will be required to attend one of four Zoom oral argument preparation sessions that the Panel staff will conduct during the week of May 18, 2020.** The purpose of these sessions is to: (a) ensure that counsel are technologically prepared to participate in the videoconference; (b) inform counsel how the Panel intends to conduct oral argument; and (c) inform counsel of the procedures and protocols they will be expected to follow during the videoconference.
- Panel staff will email counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument: (a) the dates and times of the Zoom oral argument preparation sessions; (b) login information for those sessions; (c) additional information regarding the conduct of oral argument during the videoconference; and (d) the Panel's allocation of argument times.
- If counsel wish to make a substitution, either as to counsel designated to argue on behalf of a particular party or with respect to a position advocated by multiple parties, counsel must file a Notice of Substitution no later than **May 15, 2020**. After that date, no substitutions will be permitted absent extraordinary circumstances.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

Hearing Session Order & Amendments



July 30, 2020

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: 3M COMBAT ARMS EARPLUG
PRODUCTS LIABILITY LITIGATION**

MDL No. 2885

(SEE ATTACHED SCHEDULE)


**ORDER VACATING CONDITIONAL TRANSFER ORDERS
AND VACATING THE JULY 30, 2020, HEARING SESSION ORDER**

Conditional transfer orders were filed in the actions on the attached schedule on May 15, 2020 and May 19, 2020, respectively. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs filed notices of opposition to the proposed transfer. Plaintiffs later filed motions and briefs to vacate the conditional transfer orders. The Panel has now been advised that these actions have been remanded to their respective state courts.

IT IS THEREFORE ORDERED that the Panel's conditional transfer orders designated as "CTO-63, and 64" filed on May 15, 2020, and May 19, 2020, respectively, are VACATED insofar as it relates to these actions.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on June 26, 2020, are VACATED insofar as they relate to this matter.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

**IN RE: 3M COMBAT ARMS EARPLUG
PRODUCTS LIABILITY LITIGATION**

MDL No. 2885

SCHEDULE A

<u>DIST</u>	<u>DIV.</u>	<u>C.A. NO.</u>	<u>CASE CAPTION</u>
MINNESOTA			
MN	0	20-01153	Trail v. 3M Company et al
MN	0	20-01157	Kane v. 3M Company et al
MN	0	20-01161	Taylor v. 3M Company et al
MN	0	20-01166	Hall v. 3M Company et al
MN	0	20-01171	Gonzales v. 3M Company et al
MN	0	20-01175	Skaalerud v. 3M Company et al

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 30, 2020**

LOCATION OF HEARING SESSION: United States Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, NE
Washington, DC 20544-0005

TIME OF HEARING SESSION: **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 **by videoconference or teleconference** 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 participate in the Hearing Session videoconference or teleconference.
- 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 participate in the Hearing Session.

ORAL ARGUMENT:

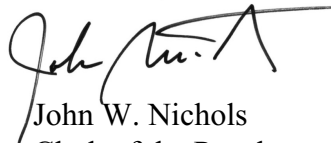
- **THE PANEL WILL HEAR ORAL ARGUMENT BY VIDEOCONFERENCE OR TELECONFERENCE.** Further details regarding how the Hearing Session will be conducted—including sign-in information, allocation of argument times, and a mandatory training session for arguing attorneys—shall be provided after the filing of the parties' Notices of Presentation or Waiver of 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.

- 2 -

- 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 6, 2020**. 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

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 30, 2020, the Panel will convene a hearing session in Washington, DC, 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, in light of the ongoing COVID-19 pandemic, the Panel will hear oral argument on the matters listed on Section A of the attached Schedule **by videoconference or teleconference**, 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



Karen K. Caldwell
Chair

Ellen Segal Huvelle	R. David Proctor
Catherine D. Perry	Nathaniel M. Gorton
Matthew F. Kennelly	David C. Norton

SCHEDULE OF MATTERS FOR HEARING SESSION
July 30, 2020 -- Washington, DC (Videoconference or Teleconference)

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. 2942 – **IN RE: COVID-19 BUSINESS INTERRUPTION PROTECTION
INSURANCE LITIGATION**

Motion of plaintiffs LH Dining L.L.C., and Newchops Restaurant Comcast LLC to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Central District of California

CARIBE RESTAURANT AND NIGHTCLUB, INC. v. TOPA INSURANCE
COMPANY, C.A. No. 2:20-03570

Middle District of Florida

PRIME TIME SPORTS GRILL, INC. v. DTW 1991 UNDERWRITING LIMITED,
C.A. No. 8:20-00771

Southern District of Florida

EL NOVILLO RESTAURANT, ET AL. v. CERTAIN UNDERWRITERS AT
LLOYD'S LONDON, ET AL., C.A. No. 1:20-21525

Northern District of Illinois

BIG ONION TAVERN GROUP, LLC, ET AL. v. SOCIETY INSURANCE, INC.,
C.A. No. 1:20-02005
BILLY GOAT TAVERN I, INC., ET AL. v. SOCIETY INSURANCE,
C.A. 1:20-02068

Southern District of New York

GIO PIZZERIA & BAR HOSPITALITY, LLC, ET AL. v. CERTAIN
UNDERWRITERS AT LLOYD'S, LONDON SUBSCRIBING TO POLICY
NUMBERS ARP-74910-20 AND ARP-75209-20, C.A. No. 1:20-03107

Northern District of Ohio

BRIDAL EXPRESSIONS LLC v. OWNERS INSURANCE COMPANY,
C.A. No. 1:20-00833

District of Oregon

DAKOTA VENTURES, LLC, ET AL. v. OREGON MUTUAL INSURANCE CO.,
C.A. No. 3:20-00630

Eastern District of Pennsylvania

LH DINING LLC v. ADMIRAL INDEMNITY COMPANY, C.A. No. 2:20-01869
NEWCHOPS RESTAURANT COMCAST LLC v. ADMIRAL INDEMNITY
COMPANY, C.A. No. 2:20-01949

Northern District of Texas

BERKSETH-ROJAS DDS v. ASPEN AMERICAN INSURANCE COMPANY,
C.A. No. 3:20-00948

Eastern District of Wisconsin

RISING DOUGH, INC., ET AL. v. SOCIETY INSURANCE, C.A. No. 2:20-00623

Motion of plaintiffs Christie Jo Berkseth-Rojas DDS; Bridal Expressions LLC; Caribe Restaurant & Nightclub, Inc.; Dakota Ventures, LLC; GIO Pizzeria & Bar Hospitality, LLC, et al.; Rising Dough Inc., et al.; and Troy Stacy Enterprises Inc. to transfer the preceding actions and the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Alabama

WAGNER SHOES LLC v. AUTO-OWNERS INSURANCE COMPANY,
C.A. No. 7:20-00465

Middle District of Florida

PRIME TIME SPORTS GRILL, INC. v. DTW 1991 UNDERWRITING LIMITED,
C.A. No. 8:20-00771

Northern District of Illinois

SANDY POINT DENTAL PC v. THE CINCINNATI INSURANCE COMPANY,
ET AL., C.A. No. 1:20-02160

Southern District of Ohio

TROY STACY ENTERPRISES INC. v. THE CINCINNATI INSURANCE
COMPANY, C.A. No. 1:20-00312

MDL No. 2944 – **IN RE: JPMORGAN CHASE PAYCHECK PROTECTION
PROGRAM LITIGATION**

Motion of plaintiff Hyde-Edwards Salon & Spa to transfer the following actions to the United States District Court for the Southern District of California and motion of plaintiff Cyber Defense Group, LLC, to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

CYBER DEFENSE GROUP, LLC, ET AL. v. JPMORGAN CHASE AND CO.,
ET AL., C.A. No. 2:20-03589
OUTLET TILE CENTER v. JPMORGAN CHASE AND CO., ET AL.,
C.A. No. 2:20-03603
LEGENDARY TRANSPORT, LLC v. JPMORGAN CHASE & CO., ET AL.,
C.A. No. 2:20-03636

Southern District of California

HYDE-EDWARDS SALON & SPA v. JPMORGAN CHASE & CO., ET AL.,
C.A. No. 3:20-00762

District of Colorado

LADAGA VENTURES LLC v. JPMORGAN CHASE BANK, N.A.,
C.A. No. 1:20-01204

Northern District of Illinois

SHA-POPPIN GOURMET POPCORN LLC v. JPMORGAN CHASE BANK, N.A.,
ET AL., C.A. No. 1:20-02523
SHINY STRANDS, INC. v. JPMORGAN CHASE & CO., C.A. No. 1:20-02547

Southern District of New York

RYAN M. KULL LICENSED CLINICAL SOCIAL WORK LLC v. JP MORGAN
CHASE & CO., ET AL., C.A. No. 1:20-03138

Northern District of Texas

STARWALK OF DALLAS, LLC, ET AL. v. JPMORGAN CHASE & CO.,
C.A. No. 3:20-01005

MDL No. 2945 - **IN RE: AHERN RENTALS, INC., TRADE SECRET LITIGATION**

Motion of defendant EquipmentShare.com Inc., to transfer the following actions to the
United States District Court for the District of Nevada:

District of Arizona

AHERN RENTALS, INC. v. EQUIPMENTSHARE.COM INC., ET AL.,
C.A. No. 2:20-00705

Eastern District of California

AHERN RENTALS, INC. v. EQUIPMENTSHARE.COM, INC., ET AL.,
C.A. No. 2:19-01788

District of Colorado

AHERN RENTALS, INC. v. EQUIPMENTSHARE.COM, INC., ET AL.,
C.A. No. 1:20-00941

District of Nevada

AHERN RENTALS, INC. v. EQUIPMENTSHARE.COM, INC., C.A. No. 2:19-02138
AHERN RENTALS, INC. v. WADE, ET AL., C.A. No. 2:20-00094

District of South Carolina

AHERN RENTALS, INC. v. MEADOWS, ET AL., C.A. No. 2:19-02823
AHERN RENTALS, INC. v. DONATO, ET AL., C.A. No. 2:20-01428

Southern District of Texas

AHERN RENTALS, INC. v. EQUIPMENTSHARE.COM INC., ET AL.,
C.A. No. 2:20-00046

District of Utah

AHERN RENTALS, INC. v. MCCORMAC, ET AL., C.A. No. 2:19-01003

Western District of Washington

AHERN RENTALS, INC. v. MENDENHALL, ET AL., C.A. No. 2:20-00542

MDL No. 2946 – **IN RE: INCLUSIVE ACCESS COURSE MATERIALS ANTITRUST
LITIGATION**

Motion of defendants McGraw Hill LLC; Pearson Education, Inc.; Cengage Learning, Inc.; Barnes & Noble College Booksellers, LLC; Barnes & Noble Education, Inc.; and Follett Higher Education Group, Inc., to transfer the following actions to the United States District Court for the District of Delaware:

District of Delaware

CAMPUS BOOK COMPANY, INC., ET AL. v. MCGRAW-HILL GLOBAL
EDUCATION HOLDINGS, LLC, ET AL., C.A. No. 1:20-00102

Northern District of Illinois

KINSKEY, ET AL. v. CENGAGE LEARNING, INC., ET AL., C.A. No. 1:20-02322

District of New Jersey

BARABAS v. BARNES & NOBLE COLLEGE BOOKSELLERS, LLC, ET AL.,
C.A. No. 3:20-02442

PICA v. BARNES & NOBLE COLLEGE BOOKSELLERS, LLC, ET AL.,
C.A. No. 3:20-04856

WARMAN v. BARNES & NOBLE COLLEGE BOOKSELLERS, LLC, ET AL.,
C.A. No. 3:20-04875

PULEO v. BARNES & NOBLE COLLEGE BOOKSELLERS, LLC, ET AL.,
C.A. No. 3:20-04990

BELEN v. MCGRAW HILL, LLC, ET AL., C.A. No. 3:20-05394

GORDON, ET AL. v. BARNES & NOBLE COLLEGE BOOKSELLERS, LLC,
ET AL., C.A. No. 3:20-05535

Southern District of New York

UCHENIK v. MCGRAW HILL, LLC, ET AL., C.A. No. 1:20-03162

MDL No. 2947 – **IN RE: LOWE'S COMPANIES, INC., FAIR LABOR STANDARDS
ACT (FLSA) AND WAGE AND HOUR LITIGATION**

Motion of defendants Lowe's Companies, Inc., and Lowe's Home Centers, LLC, to transfer the following actions to the United States District Court for the Western District of North Carolina:

District of Arizona

GROVE, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 2:20-00586

Eastern District of Arkansas

ESTES, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 4:20-00289

District of Colorado

BOGAERT, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 1:20-00695

District of Connecticut

BELASKI v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 3:20-00343

Central District of Illinois

FITZSIMMONS, ET AL. v. LOWE'S COMPANIES, INC., ET AL.,
C.A. No. 1:20-01109

Western District of Kentucky

ANDERSON, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 3:20-00189

District of Maryland

HYDE, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 1:20-00678

District of Massachusetts

ROY, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 4:20-40029

District of Minnesota

NEAL v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 0:20-01003

Western District of Missouri

NELSON, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 4:20-00190

District of Nevada

RICKS, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 2:20-00515

District of New Jersey

GERBER, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 2:20-02773

District of New Mexico

MARTINEZ, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 2:20-00234

Eastern District of New York

TIRADO v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 1:20-01472

Western District of North Carolina

DANFORD, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 5:19-00041

Southern District of Ohio

RUMPKE, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 2:20-01411

District of South Carolina

FORTE, ET AL. v. LOWE'S COMPANY, INC., ET AL., C.A. No. 2:20-01108

Eastern District of Washington

CLEAVENGER, ET AL. v. LOWE'S COMPANIES, INC., ET AL.,
C.A. No. 4:20-05049

Southern District of West Virginia

BOYCE, ET AL. v. LOWE'S COMPANIES, INC., ET AL., C.A. No. 2:20-00228

MDL No. 2948 – IN RE: TIKTOK, INC., CONSUMER PRIVACY LITIGATION

Motion of plaintiff A.S. to transfer the following actions to the United States District Court for the Southern District of Illinois:

Northern District of California

IN RE: TIKTOK, INC. PRIVACY LITIGATION, C.A. No. 5:19-07792
P.S., ET AL. v. TIKTOK, INC., ET AL., C.A. No. 5:20-02992
D.M., ET AL. v. TIKTOK, INC., ET AL., C.A. No. 5:20-03185
R.S., ET AL. v. TIKTOK, INC., ET AL., C.A. No. 5:20-03212
S.A. v. TIKTOK, INC., ET AL., C.A. No. 5:20-03294

Northern District of Illinois

E.R. v. TIKTOK, INC., ET AL., C.A. No. 1:20-02810
MARKS v. TIKTOK, INC., C.A. No. 1:20-02883
D.H. v. TIKTOK, INC., ET AL., C.A. No. 1:20-02884
L.B. v. TIKTOK, INC., C.A. No. 1:20-02889

Southern District of Illinois

A.S. v. TIKTOK, INC., ET AL., C.A. No. 3:20-00457

MDL No. 2949 – **IN RE: PROFEMUR HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Johnny C. Simpson, et al., and Steven M. Chadderdon, et al., to transfer the following actions to the United States District Court for the Eastern District of Arkansas:

District of Arizona

CASEY v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 2:19-05360

Eastern District of Arkansas

MUSTICCHI v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 4:19-00607
SIMPSON, ET AL. v. WRIGHT MEDICAL GROUP, INC., ET AL.,
C.A. No. 5:17-00062

Central District of California

BURKHART v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 2:17-08561
BUCHANAN, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 2:19-04824
COLE, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 2:20-03993
BODILY v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 5:18-02244

Eastern District of California

BAKER, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 2:20-00823

Southern District of California

HOFER, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 3:18-01991
SIVILLI v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 3:18-02162

District of Colorado

MARSHALL, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 1:19-01883

Northern District of Florida

STOUFFER v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 3:19-03818

Northern District of Georgia

SHARIF, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 1:20-01300

Northern District of Indiana

EVANS, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 3:19-00160

Northern District of Iowa

DUMLER, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 6:17-02033
HILL, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 6:20-02032

District of Kansas

BURDOLSKI v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 2:20-02116

District of Maine

KIEF v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 1:18-00035

District of Maryland

WILLIAMS v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 1:20-00578

District of Massachusetts

GARFIELD, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 1:18-11872
MCDONALD v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 1:18-12570
BRADLEY v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No.1:20-10215

MATUSZKO, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 3:20-10200
JURCZYK v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 4:19-40126

District of Minnesota

MONSON v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 0:18-01282
GALE, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 0:20-01009

District of Montana

MATOSICH v. WRIGHT MEDICAL GROUP, INC., ET AL., C.A. No. 9:19-00016

District of New Jersey

LOPEZ, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 1:19-12583

Southern District of New York

SAFIR v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 1:18-10742

District of Oregon

HASKELL v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 3:19-01563

Western District of Pennsylvania

HARRIS, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 2:19-00280

District of South Carolina

MILES v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 4:20-00941

District of Utah

BRADSHAW, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 1:16-00108
BURNINGHAM, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC., ET AL.,
C.A. No. 2:17-00092
SMOLKA v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 2:19-00263

Northern District of West Virginia

LAYTON, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 1:20-00083

Eastern District of Wisconsin

RIDOLFI v. WRIGHT MEDICAL TECHNOLOGY, INC., C.A. No. 2:20-00680

Western District of Wisconsin

TZAKIS, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 3:19-00545
CHADDERDON, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
ET AL., C.A. No. 3:19-00787
LARSON v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 3:20-00261
CRAUGH, ET AL. v. WRIGHT MEDICAL TECHNOLOGY, INC.,
C.A. No. 3:20-00270

**MDL No. 2950 – IN RE: PAYCHECK PROTECTION PROGRAM (PPP) AGENT
FEES LITIGATION**

Motion of plaintiff Alliant CPA Group LLC, 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 District of Arizona:

Northern District of Alabama

LEIGH KING NORTON & UNDERWOOD LLC v. REGIONS FINANCIAL
CORPORATION, ET AL., C.A. No. 2:20-00591

District of Arizona

PANDA ACCOUNTING LLC v. ACADEMY BANK NA, ET AL.,
C.A. No. 2:20-00985

Central District of California

AMERICAN VIDEO DUPLICATING, INC., ET AL. v. CITIGROUP INC., ET AL.,
C.A. No. 2:20-03815
AMERICAN VIDEO DUPLICATING, INC. v. ROYAL BANK OF CANADA,
ET AL., C.A. No. 2:20-04036

BRUNNER ACCOUNTING GROUP v. SVB FINANCIAL GROUP, ET AL.,
C.A. No. 2:20-04235

District of Colorado

IMPACCT, LLC v. JPMORGAN CHASE & CO., ET AL., C.A. No. 1:20-01344

Northern District of Florida

SPORT & WHEAT CPA PA v. SERVISFIRST BANK, INC., ET AL.,
C.A. No. 3:20-05425

Northern District of Georgia

ALLIANT CPA GROUP, LLC v. BANK OF AMERICA CORP., ET AL.,
C.A. No. 1:20-02026

Northern District of Illinois

A.D. SIMS, LLC v. WINTRUST FINANCIAL CORPORATION, ET AL.,
C.A. No. 1:20-02644

Southern District of Ohio

DAVID S. LOWRY, CPA, LTD v. U.S. BANCORP, ET AL., C.A. No. 1:20-00348

Western District of Pennsylvania

HALLOCKSHANNON, PC v. CITIZENS & NORTHERN CORP., ET AL.,
C.A. No. 2:20-00714

District of Utah

PANDA GROUP PC v. BANK OF AMERICA CORP., ET AL., C.A. No. 4:20-00045

MDL No. 2951 – **IN RE: SECONDARY TICKET MARKET REFUND LITIGATION**

Motion of plaintiffs Matthew McMillan; Dustin Snyder, et al.; and Timothy Nellis, et al., to transfer the following actions to the United States District Court for the Northern District of Illinois or, in the alternative, the United States District Court for the Western District of Wisconsin:

Northern District of California

ALCARAZ v. STUBHUB, INC., C.A. No. 4:20–02595
KOPFMANN v. STUBHUB, INC., C.A. No. 4:20–03025

Northern District of Illinois

NELLIS, ET AL. v. VIVID SEATS LLC, ET AL., C.A. No. 1:20–02486

Southern District of New York

TRADER v. SEATGEEK, INC., C.A. No. 1:20–03248
REYNOLDS v. STUBHUB, INC., ET AL., C.A. No. 1:20–03508

Western District of Wisconsin

MCMILLAN v. STUBHUB, INC., ET AL., C.A. No. 3:20–00319

MDL No. 2952 – **IN RE: BANK OF AMERICA PAYCHECK PROTECTION PROGRAM LITIGATION**

Motion of plaintiffs E-Dealer Direct, LLC, et al., to transfer the following actions to the United States District Court for the Western District of Texas:

Central District of California

LAW OFFICE OF SABRINA DAMAST, ET AL. v. BANK OF AMERICA CORP.,
ET AL., C.A. No. 2:20–03591

Northern District of California

STUDIO 1220, INC. v. BANK OF AMERICA, NATIONAL ASSOCIATION,
ET AL., C.A. No. 3:20–03081
INFORMATECH CONSULTING, INC. v. BANK OF AMERICA CORP., ET AL.,
C.A. No. 4:20–02892

Western District of Texas

E-DEALER DIRECT, LLC, ET AL. v. BANK OF AMERICA CORP.,
C.A. No. 3:20-00139

MDL No. 2953 – **IN RE: COVIDIEN HERNIA MESH PRODUCTS LIABILITY
LITIGATION**

Motion of defendants Covidien LP; Covidien Holding Inc.; Covidien, Inc.; Covidien plc;
Tyco Healthcare Group; Tyco International; Sofradim Productions SAS; Medtronic, Inc.; and
MedtronicUSA, Inc., to transfer the following actions to the United States District Court for the
Southern District of New York:

Central District of California

NORTHRUP v. COVIDIEN, LP., ET AL., C.A. No. 5:20-00355

Northern District of California

JORDEN v. COVIDIEN, LP., ET AL., C.A. No. 3:19-05709

Southern District of Florida

DYE v. COVIDIEN LP, C.A. No. 0:18-61485

Eastern District of Louisiana

SINGLETARY, ET AL. v. COVIDIEN LP, ET AL., C.A. No. 2:19-13108

District of Massachusetts

MONROE v. MEDTRONIC, INC., ET AL., C.A. No. 1:20-10144

Southern District of Mississippi

OLIVER v. COVIDIEN SALES LLC, ET AL., C.A. No. 3:19-00795

District of New Jersey

SMITH v. COVIDIEN LP, C.A. No. 1:19-11981

Southern District of New York

GREEN v. COVIDIEN LP, C.A. No. 1:18-02939
DUNHAM, ET AL. v. COVIDIEN LP, C.A. No. 1:19-02851
DUNHAM v. COVIDIEN LP, C.A. No. 1:19-02855
KRULEWICH, ET AL. v. COVIDIEN LP, C.A. No. 1:19-02857

Western District of New York

BLACK, ET AL. v. COVIDIEN, PLC, ET AL., C.A. No. 6:17-06085

MDL No. 2954 – **IN RE: WELLS FARGO PAYCHECK PROTECTION PROGRAM
LITIGATION**

Motion of plaintiff DNM Contracting, Inc., to transfer the following actions to the United States District Court for the Southern District of Texas:

Central District of California

BSJA, INC., ET AL. v. WELLS FARGO & COMPANY, ET AL., C.A. No. 2:20-03588

Northern District of California

MA v. WELLS FARGO & COMPANY, ET AL., C.A. No. 3:20-03697
MARSELIAN v. WELLS FARGO & COMPANY, ET AL., C.A. No. 4:20-03166

Southern District of California

KAREN'S CUSTOM GROOMING LLC v. WELLS FARGO & COMPANY, ET AL.,
C.A. No. 3:20-00956

District of Colorado

PHYSICAL THERAPY SPECIALISTS, P.C. v. WELLS FARGO BANK, N.A.,
C.A. No. 1:20-01190

Southern District of Texas

SCHERER v. WELLS FARGO BANK, N.A., C.A. No. 4:20-01295
DNM CONTRACTING, INC. v. WELLS FARGO BANK, N.A., C.A. No. 4:20-01790

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

Oppositions of plaintiffs Karen Williams, et al., and Sonna Gregory, et al., to transfer of their respective following actions to the United States District Court for the District of New Jersey:

Central District of California

WILLEMS, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 8:20-00621

Northern District of Georgia

GREGORY, ET AL. v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:20-01443

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

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

Middle District of Alabama

MOWRY v. MONSANTO COMPANY, ET AL., C.A. No. 2:20-00215

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

Opposition of plaintiff Valerie Curry to transfer of the following action to the United States District Court for the Northern District of Georgia:

Northern District of Mississippi

CURRY v. PHC-CLEVELAND, INC., ET AL., C.A. No. 4:20-00058

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 and motion of plaintiff Ronald Bass, Sr., to transfer the *Bass* action to the United States District Court for the Northern District of Ohio:

Southern District of Alabama

CITY OF DAPHNE, ALABAMA v. AMNEAL PHARMACEUTICALS, LLC, ET AL.,
C.A. No. 1:20-00258
POARCH BAND OF CREEK INDIANS v. AMNEAL PHARMACEUTICALS, LLC,
ET AL., C.A. No. 1:20-00279

Middle District of Florida

THE CITY OF ORLANDO, FLORIDA v. CVS HEALTH CORPORATION, ET AL.,
C.A. No. 6:20-00736

District of Kansas

SHAWNEE COUNTY, KANSAS, BOARD OF COMMISSIONERS v. ALLERGAN
PLC, ET AL., C.A. No. 5:20-04022

District of Maryland

TOWN OF COTTAGE CITY, ET AL. v. ALLERGAN PLC, ET AL.,
C.A. No. 8:20-00796

Eastern District of Missouri

DADE COUNTY v. ALLERGAN PLC, ET AL., C.A. No. 4:20-00598
MCDONALD COUNTY, MISSOURI v. ALLERGAN PLC, ET AL.,
C.A. No. 4:20-00620

District of New Jersey

BASS v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:19-19709

Western District of Virginia

FREDERICK COUNTY, VIRGINIA v. MALLINCKRODT PLC, ET AL.,
C.A. No. 5:20-00030

MDL No. 2814 – **IN RE: FORD MOTOR CO. DPS6 POWERSHIFT TRANSMISSION PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Amanda Sutton, Carmen Menjivar Guardado, Steven Rodriguez, and Patricia Hall to transfer of their respective following actions to the United States District Court for the Central District of California:

Eastern District of California

SUTTON v. FORD MOTOR COMPANY, C.A. No. 2:20-00407
GUARDADO v. FORD MOTOR COMPANY, ET AL., C.A. No. 2:20-00716

Northern District of California

RODRIGUEZ v. FORD MOTOR COMPANY, C.A. No. 4:20-03260

Southern District of California

HALL v. FORD MOTOR COMPANY, ET AL., C.A. No. 3:20-00609

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

Opposition of plaintiff Steven W. Wilson to transfer of the following action to the United States District Court for the Northern District of California:

Eastern District of Pennsylvania

WILSON v. FACEBOOK, INC., ET AL., C.A. No. 2:20-00189

MDL No. 2885 – **IN RE: 3M COMBAT ARMS EARPLUG 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:

District of Minnesota

TRAIL v. 3M COMPANY, ET AL., C.A. No. 0:20-01153
KANE v. 3M COMPANY, ET AL., C.A. No. 0:20-01157
TAYLOR v. 3M COMPANY, ET AL., C.A. No. 0:20-01161
HALL v. 3M COMPANY, ET AL., C.A. No. 0:20-01166

GONZALES v. 3M COMPANY, ET AL., C.A. No. 0:20-01171
SKAALERUD v. 3M COMPANY, ET AL., C.A. No. 0:20-01175

Western District of Missouri

EVANS v. 3M COMPANY, ET AL., C.A. No. 6:20-03085

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

Opposition of plaintiff Paula Honeycutt to transfer of the following action to the United States District Court for the Northern District of Illinois:

Northern District of Indiana

HONEYCUTT v. FAIR OAKS FARMS FOOD, LLC, C.A. No. 2:20-00099

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.

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

SUPPLEMENTAL NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed on June 26, 2020, supplemental notice is hereby given regarding the July 30, 2020, hearing session scheduled to consider various matters under 28 U.S.C. § 1407.

ORAL ARGUMENT:

- **THE PANEL WILL HEAR ORAL ARGUMENT BY VIDEOCONFERENCE USING THE ZOOM MEETING APP.** Oral argument will be conducted in morning and afternoon sessions.
- Oral argument in the morning session will begin at **9:30 a.m.** (All times are Eastern Daylight Time.) The Panel will hear argument in the following dockets, in the following order, at this session:

MDL NO. 2942 – IN RE: COVID-19 BUSINESS INTERRUPTION PROTECTION INSURANCE LITIGATION

MDL NO. 2945 – IN RE: AHERN RENTALS, INC., TRADE SECRET LITIGATION

MDL NO. 2946 – IN RE: INCLUSIVE ACCESS COURSE MATERIALS ANTITRUST LITIGATION

MDL NO. 2947 – IN RE: LOWE’S COMPANIES, INC., FAIR LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION

MDL NO. 2948 – IN RE: TIKTOK, INC., CONSUMER PRIVACY LITIGATION

- Oral argument in the afternoon session will begin at **1:00 p.m.** The Panel will hear argument in any docket scheduled for the morning session that was not able to be completed at that session. The Panel then will hear argument in the following dockets, in the following order:

MDL NO. 2949 – IN RE: PROFEMUR HIP IMPLANT PRODUCTS LIABILITY LITIGATION

MDL NO. 2951 – IN RE: SECONDARY TICKET MARKET REFUND LITIGATION

MDL NO. 2953 – IN RE: COVIDIEN HERNIA MESH PRODUCTS LIABILITY LITIGATION

MDL NO. 2950 – IN RE: PAYCHECK PROTECTION PROGRAM (PPP) AGENT FEES LITIGATION

MDL NO. 2944 – IN RE: JPMORGAN CHASE PAYCHECK PROTECTION PROGRAM LITIGATION

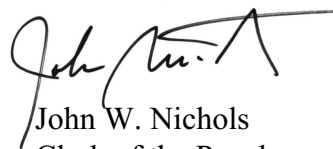
MDL NO. 2952 – IN RE: BANK OF AMERICA PAYCHECK PROTECTION PROGRAM LITIGATION

MDL NO. 2954 – IN RE: WELLS FARGO PAYCHECK PROTECTION PROGRAM LITIGATION

- The use of videoconference technology for presentation of oral argument is not normal Panel practice. In light of the ongoing COVID-19 pandemic, the Panel and Panel staff are making the time and resource intensive arrangements necessary to conduct a virtual hearing in an efficient and effective manner. The Panel plans to return to its practice of in-person hearings when it becomes practicable to do so. **To ensure the manageability of the Zoom hearing, only counsel presenting oral argument will be provided access to the videoconference during the designated time[s].** Counsel presenting oral argument at the afternoon session should not sign into the morning session. Likewise, counsel presenting argument at the morning session should not sign into the afternoon session, unless counsel is presenting argument in a docket that has been continued from the morning session.
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may do so by completing a transcript request form at <https://www.dcd.uscourts.gov/content/request-transcript> and selecting Sara Wick as the court reporter.
- **Non-arguing counsel, members of the press, and the general public may access live audio of the oral argument by dialing (877) 411-9748 and using access code 1892547.** All participants on the conference call will be muted and should not attempt to unmute themselves. Participants should be aware that the conference call will not be connected to the Zoom hearing until oral argument begins, which may not occur precisely at the scheduled time. Participants will hear silence until connected to the Zoom hearing. If there is a technical issue and the conference call is disconnected, Panel staff will attempt to reinitiate the conference call promptly. If this occurs, participants should dial back into the conference call.
- **All recording of the Hearing Session is prohibited.**

- The Panel has allocated argument times for the dockets listed above for oral argument. Counsel who submitted a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument do not automatically receive argument time. Per Panel practice, argument time will be allocated to avoid multiple counsel presenting argument advocating a common position.
- **All counsel who are allocated argument time will be required to attend one of several Zoom oral argument preparation sessions that the Panel staff will conduct during the week of July 20, 2020.** The purpose of these sessions is to: (a) ensure that counsel are technologically prepared to participate in the videoconference; (b) inform counsel how the Panel intends to conduct oral argument; and (c) inform counsel of the procedures and protocols they will be expected to follow during the videoconference.
- Panel staff will email counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument: (a) the dates and times of the Zoom oral argument preparation sessions; (b) login information for those sessions; (c) additional information regarding the conduct of oral argument during the videoconference; and (d) the Panel's allocation of argument times.
- If counsel wish to make a substitution, either as to counsel designated to argue on behalf of a particular party or with respect to a position advocated by multiple parties, counsel must file a Notice of Substitution no later than **July 17, 2020**. After that date, no substitutions will be permitted absent extraordinary circumstances.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a long horizontal flourish extending to the right.

John W. Nichols
Clerk of the Panel