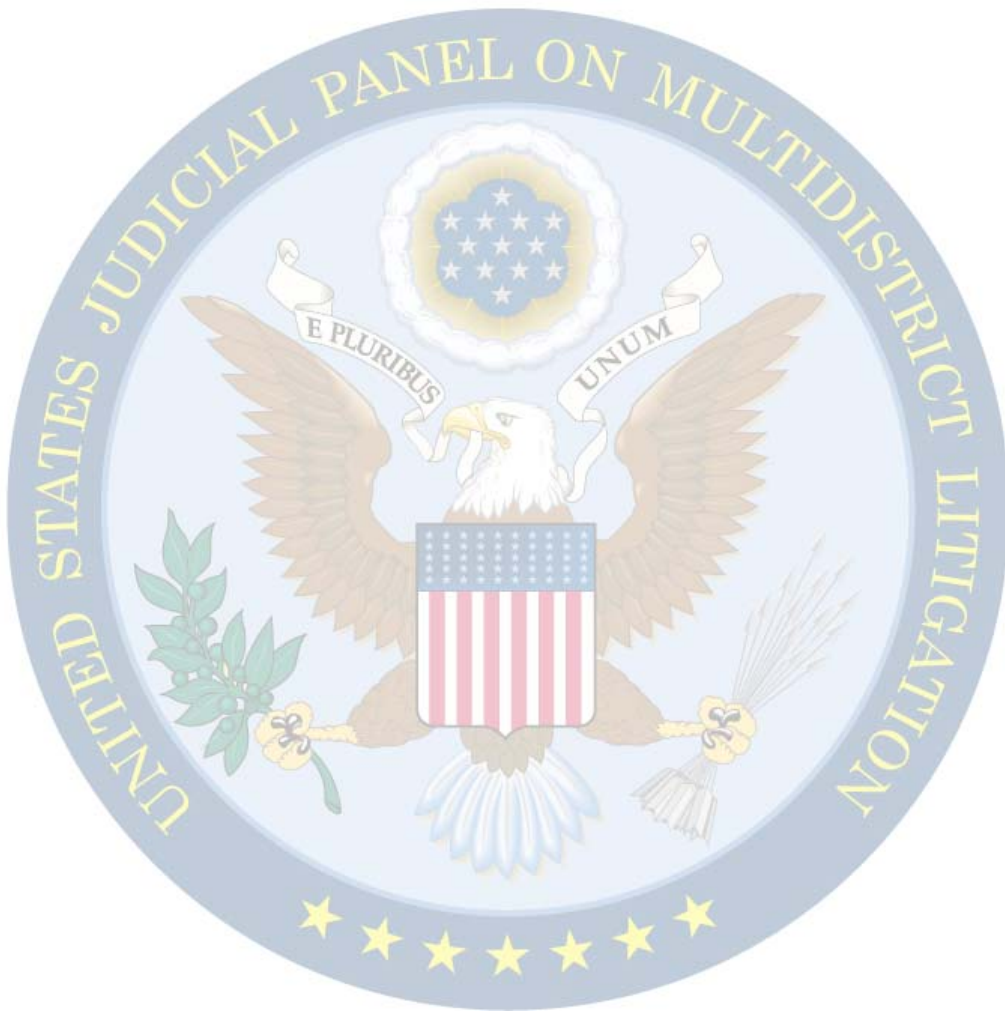


# Hearing Session Order & Amendments



January 27, 2022

**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 27, 2022**

LOCATION OF HEARING SESSION: Wilkie D. Ferguson, Jr. U.S. Courthouse  
Ceremonial Courtroom 13-3, 13th Floor  
400 North Miami Avenue  
Miami, Florida 33128

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** 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 continues to monitor the ongoing COVID-19 pandemic. **At present, the Panel intends to hear oral argument in person, but reserves the option to hear oral argument by videoconference or teleconference should circumstances warrant.** Allocations of argument time will be made before the Hearing (using procedures employed at recent Panel hearings conducted by videoconference) such that counsel will be informed in advance of the hearing whether they are allocated time to argue. Allocations will not be made or changed at the Hearing. Further details regarding how the Hearing Session will be

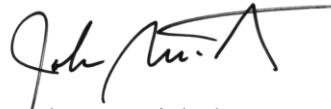
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conducted shall be provided after the filing of the parties' Notices of Presentation or Waiver of Oral Argument.

- 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. 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.
- 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 3, 2022**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read 'John W. Nichols', with a stylized flourish at the end.

John W. Nichols  
Clerk of the Panel

cc: Clerk, United States District for the Southern 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 27, 2022, the Panel will convene a hearing session in Miami, Florida, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

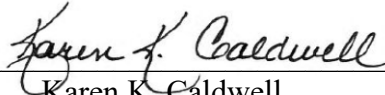
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

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). **Oral argument will be heard in person unless the Panel determines that circumstances caused by the COVID-19 pandemic warrant hearing argument by videoconference or teleconference.** Should the Panel determine that oral argument is to be conducted by videoconference or teleconference, the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this decision to counsel for all parties involved in the matters listed on the attached Schedule.

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

Nathaniel M. Gorton  
David C. Norton  
Dale A. Kimball

Matthew F. Kennelly  
Roger T. Benitez  
Madeline Cox Arleo

SCHEDULE OF MATTERS FOR HEARING SESSION  
January 27, 2022 -- Miami, 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. 3021 – IN RE: SOCLEAN, INC., MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Larry Hunter-Blank, et al., to transfer the following actions to the United States District Court for the District of Kansas:

Middle District of Alabama

BRACKINS, ET AL. v. SOCLEAN, INC., C.A. No. 2:21–00651

Northern District of Alabama

CUPP, ET AL. v. SOCLEAN, INC., C.A. No. 1:21–01309

Eastern District of Arkansas

LANDERS v. SOCLEAN, INC., C.A. No. 4:21–00919

Middle District of Georgia

BROOKS v. SOCLEAN, INC., C.A. No. 5:21–00357

District of Kansas

STAHL v. SOCLEAN, INC., C.A. No. 2:21–02424

HUNTER–BLANK v. SOCLEAN, INC., C.A. No. 2:21–02425

Western District of Louisiana

HEBERT v. SOCLEAN, INC., C.A. No. 6:21–03225

Southern District of Mississippi

SAKALARIOS v. SOCLEAN, INC., C.A. No. 2:21-00114

Western District of Missouri

TURNER v. SOCLEAN, INC., C.A. No. 4:21-00722

JENKINS v. SOCLEAN, INC., C.A. No. 4:21-00723

Western District of Texas

WHEELER v. SOCLEAN, INC., C.A. No. 1:21-00837

MDL No. 3022 – **IN RE: HARVEST ENTITIES FAIR LABOR STANDARDS ACT (FLSA)  
AND WAGE AND HOUR LITIGATION**

Motion of defendants Harvest Hospitalities, Inc., et al., to transfer the following actions to the United States District Court for the District of Maryland or, in the alternative, the United States District Court for the Western District of Pennsylvania:

District of Maryland

MORALES, ET AL. v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 1:21-02482

District of New Jersey

ROYAL, ET AL. v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 3:21-17737

Eastern District of Pennsylvania

WILSON, ET AL. v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 2:21-04274

Western District of Pennsylvania

DUKE v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 2:20-00865

MDL No. 3023 – **IN RE: TAXOTERE (DOCETAXEL) EYE INJURY PRODUCTS  
LIABILITY LITIGATION**

Motion of plaintiff Jade Porter to transfer the following actions to the United States District Court for the Northern District of California or, in the alternative, the United States District Court for the District of Arizona:

District of Arizona

CONE v. SANOFI US SERVICES, INC., ET AL., C.A. No. 2:21–00689

Central District of California

BURNS v. SANOFI US SERVICES, INC., ET AL., C.A. No. 2:21–08964

HAMILTON–MOEWS v. SANOFI US SERVICES, INC., ET AL., C.A. No. 5:21–00718

Eastern District of California

VEGA v. SANOFI US SERVICES, INC., ET AL., C.A. No. 2:21–00730

Northern District of California

PORTER v. SANOFI US SERVICES, INC., ET AL., C.A. No. 3:21–01891

ESTELL v. SANOFI US SERVICES, INC., ET AL., C.A. No. 3:21–02749

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

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

Opposition of plaintiffs Bruce Mattson and Thomas Ross to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Northern District of Illinois

MATTSON v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 1:21–05095  
ROSS v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 1:21–05097

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

Oppositions of plaintiffs Kelly Hunter, Elizabeth Reid, David Uhle, and John Spaeth to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Middle District of Florida

HUNTER v. MEDICAL DEVICE BUSINESS SERVICES, INCORPORATED, ET AL.,  
C.A. No. 3:21–00964  
REID v. BAYSIDE ORTHOPAEDICS, INC., ET AL., C.A. No. 8:21–02678

Northern District of Illinois

UHLE v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 1:21–05798

Northern District of Ohio

SPAETH v. TJM MEDICAL, INC., ET AL., C.A. No. 1:21–02160



**MDL No. 2406 – IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION**

Opposition of plaintiffs John Hoover, et al., to transfer of the following action to the United States District Court for the Northern District of Alabama:

Southern District of Florida

HOOVER, ET AL. v. BLUE CROSS AND BLUE SHIELD ASSOCIATION,  
ET AL., C.A. No. 1:21–23448

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

Opposition of plaintiff Jennifer Houseman Corbett to transfer of the following action to the United States District Court for the District of New Jersey:

Western District of New York

CORBETT v. WALMART INC., C.A. No. 1:21–00996

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

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

District of New Mexico

RENTERIA v. MONSANTO COMPANY, ET AL., C.A. No. 2:21–00994

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

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

District of Maine

EASTERN MAINE MEDICAL CENTER, ET AL. v. TEVA PHARMACEUTICALS  
USA, INC., ET AL., C.A. No. 2:21–00320

Eastern District of Pennsylvania

CITY OF PHILADELPHIA v. CVS RX SERVICES, INC., ET AL., C.A. No. 2:21–04701

District of Puerto Rico

COMMONWEALTH OF PUERTO RICO v. ACTAVIS LABORATORIES FL, INC.,  
C.A. No. 3:21–01535

Southern District of Texas

COUNTY OF CORYELL v. WALGREENS CO., ET AL., C.A. No. 4:21–03351  
COUNTY OF KENDALL v. WALGREENS CO., ET AL., C.A. No. 4:21–03354

Western District of Wisconsin

THE CITY OF JANESVILLE v. PHARMAVENTURES, INC., ET AL.,  
C.A. No. 3:21–00678

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

Opposition of plaintiff Issac Montano to transfer of the following action to the United States District Court for the Southern District of Ohio:

District of New Mexico

MONTANO v. WEXFORD HEALTH SOURCES, INC., ET AL., C.A. No. 1:21–01099

**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

ALBURY, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02132  
BUTLER, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02134  
HARRIS, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02136  
WEBB v. 3M COMPANY, ET AL., C.A. No. 0:21–02138  
LOR, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02140  
ANDREWS, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02143  
HEATH v. 3M COMPANY, ET AL., C.A. No. 0:21–02259

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

Oppositions of plaintiffs Cristian Ali, Michael A. Lumpkins, and Denis N. Byrne, Sr., to transfer of their respective following actions to the United States District Court for the Northern District of California:

Southern District of Florida

ALI v. 7–ELEVEN, INC., C.A. No. 1:21–23588

Northern District of Illinois

LUMPKINS v. JUUL LABS, INC., ET AL., C.A. No. 1:21–05959

Southern District of New York

BYRNE v. JUUL LABS, INC., ET AL., C.A. No. 1:21–09110

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

Oppositions of plaintiffs Yasmin Husrom, et al.; Randall Kmiecik; and John Dalicandro to transfer of their respective following actions to the United States District Court for the Southern District of Florida:

District of Nevada

HUSROM, ET AL. v. LAS VEGAS MEDICAL GROUP, LLC, ET AL.,  
C.A. No. 2:21-01929

Eastern District of Pennsylvania

KMIECIK v. GLAXOSMITHKLINE LLC, ET AL., C.A. No. 2:21-04480  
DALICANDRO v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 2:21-04482

**MDL No. 3014 – IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Gayla Graham, et al.; Barbara Walker; and John Mack, et al., to transfer of their respective following actions to the United States District Court for the Western District of Pennsylvania:

Western District of Kentucky

GRAHAM, ET AL. v. RESPIRONICS, INC., ET AL., C.A. No. 3:21-00485

District of Massachusetts

WALKER v. PHILIPS NORTH AMERICA LLC, ET AL., C.A. No. 1:21-11669  
MACK, ET AL. v. PHILIPS NORTH AMERICA LLC, ET AL., C.A. No. 1:21-11670

MDL No. 3019 – **IN RE: T-MOBILE CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Opposition of plaintiff James Achermann to transfer of the following action to the United States District Court for the Western District of Missouri:

Northern District of California

ACHERMANN v. T-MOBILE USA, INC., C.A. No. 3:21-08995

#### RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard" and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process. Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.

(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**CHAIR:**

**Karen K. Caldwell**  
United States District Court  
Eastern District of Kentucky

**MEMBERS:**

**Nathaniel M. Gorton**  
United States District Court  
District of Massachusetts

**David C. Norton**  
United States District Court  
District of South Carolina

**Dale A. Kimball**  
United States District Court  
District of Utah

**Matthew F. Kennelly**  
United States District Court  
Northern District Illinois

**Roger T. Benitez**  
United States District Court  
Southern District of California

**Madeline Cox Arleo**  
United States District Court  
District of New Jersey

**DIRECT REPLY TO:**

**John W. Nichols**  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20544-0005

**Telephone: (202) 502-2800**  
**Fax: (202) 502-2888**

**ADVISORY**

**U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA**

Any attorneys who need to bring a cell phone, laptop, or electronic equipment of any kind into the Courthouse must email [Catherine.Wade@flsd.uscourts.gov](mailto:Catherine.Wade@flsd.uscourts.gov) no later than one week prior to the hearing date. Please ensure that the email contains the name of the attorney(s) and the type of electronic equipment they will be bringing into the Courthouse. If the US Marshals Service does not receive this information in advance of the hearing, the attorney(s) will not be permitted to enter the Courthouse with their equipment. [Attorneys who are members of The Florida Bar are permitted to bring electronic equipment into the Courthouse upon presentation of their Florida Bar card.] **Please note, members of the public, including non-attorney parties, are not permitted to bring in electronic equipment of any kind absent a Court order.**

Please see the Southern District of Florida's policy regarding Prohibited Electronic Devices which can be downloaded at [Prohibited Electronic Devices | Southern District of Florida | United States District Court \(uscourts.gov\)](#).

Please see and plan to abide by the Southern District of Florida's requirements regarding public access in light of COVID-19 which can be found on the court's website: [Southern District of Florida | United States District Court \(uscourts.gov\)](#).

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**FIRST AMENDMENT TO THE HEARING SESSION ORDER  
AND ATTACHED SCHEDULE FILED DECEMBER 16, 2021**

IT IS ORDERED that the Notice of Hearing Session, Hearing Session Order, and attached Schedule for the hearing session on January 27, 2022, in Miami, Florida, filed by the Judicial Panel on Multidistrict Litigation on December 16, 2021, are amended to update the following:

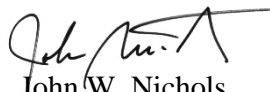
LOCATION OF HEARING SESSION: United States Judicial Panel on Multidistrict Litigation  
Thurgood Marshall Federal Judiciary Building  
One Columbus Circle, NE  
Washington, DC 20544-0005

TIME OF HEARING SESSION: **11:00 a.m. (Eastern Standard Time)**

ORAL ARGUMENT:

- **The Panel has determined that circumstances caused by the COVID-19 pandemic warrant hearing oral argument by videoconference or teleconference.** No counsel are permitted to appear in person. Further details regarding how the Hearing Session will be conducted—including sign-in information, allocation of argument times, and a training session for arguing attorneys—shall be provided the week of January 10, 2022.

FOR THE PANEL:

  
John W. Nichols  
Clerk of the Panel



**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 December 16, 2021, and amended on January 5, 2022, supplemental notice is hereby given regarding the January 27, 2022, 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 **11:00 a.m.** (Eastern Standard Time.) The Panel will hear argument in the following dockets, in the following order, at this session:

MDL NO. 3021 – IN RE: SOCLEAN, INC., MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL NO. 3022 – IN RE: HARVEST ENTITIES FAIR LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION

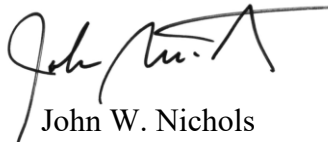
MDL NO. 3023 – IN RE: TAXOTERE (DOCETAXEL) EYE INJURY PRODUCTS LIABILITY LITIGATION

- 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.**
- 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 (888) 204-5984 and using access code 4703654. If they cannot connect to the argument using that number and code, they should dial (877) 411-9748 and use access code 1892547. Each line has a limit of 500 callers.** 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 must attend one of two Zoom oral argument preparation sessions that the Panel staff will conduct during the week of January 18, 2022, with one exception.** Participation in a preparation session is not mandatory for attorneys who previously argued at a Panel Hearing conducted using Zoom and attended a preparation session. Those counsel, though, are welcome to attend a preparation session for this hearing. 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) Oral Argument Guidelines and Instructions containing the dates, times, and login information for the Zoom oral argument preparation sessions and additional information regarding the conduct of oral argument during the videoconference and (b) 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 **January 13, 2022**. 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 stylized flourish at the end.

John W. Nichols  
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

City of Philadelphia v. CVS RX Services, Inc., et al.,                     )  
E.D. Pennsylvania, C.A. No. 2:21-04701                                     )

MDL No. 2804

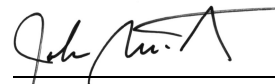
**ORDER VACATING CONDITIONAL TRANSFER ORDER**  
**AND VACATING THE JANUARY 27, 2022, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*City of Philadelphia*) on October 29, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiff in *City of Philadelphia* 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 informed that *City of Philadelphia* was remanded to the Philadelphia Court of Common Pleas, Pennsylvania, by the Honorable Juan R. Sanchez in an order filed on January 26, 2022.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-209" filed on October 29, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, 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**

Eastern Maine Medical Center et al. v. Teva Pharmaceuticals     )  
USA Inc., et al., D. Maine, C.A. No. 2:21-00320                     )     MDL No. 2804

**ORDER VACATING CONDITIONAL TRANSFER ORDER  
AND VACATING THE JANUARY 27, 2022 HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Eastern Maine Medical Center*) on November 23, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs in *Eastern Maine Medical Center* filed a notice of opposition to the proposed transfer order. Plaintiffs later filed the motion and brief to vacate the conditional transfer order. The Panel has been advised that *Eastern Maine Medical Center* was remanded to the Superior Court of Cumberland County, Maine by the Honorable Jon D. Levy in an order filed on January 19, 2022.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-210" filed on November 23, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as it relates to this action.

FOR THE PANEL:



John W. Nichols  
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**IN RE: DAVOL, INC./C.R. BARD, INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY LITIGATION**

Montano v. Wexford Health Sources, Inc., et al.,                     )  
New Mexico, C.A. No. 1:21-01099   )

MDL No. 2846

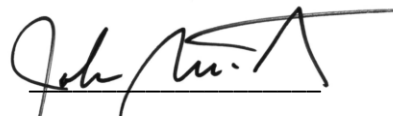
**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER  
AND VACATING THE JANUARY 27, 2022 HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Montano*) on November 23, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiff in *Montano* filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-76" filed on November 23, 2021, is LIFTED insofar as it relates to this action. This action is transferred to the Southern District of Ohio for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Edmund A. Sargus, Jr.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as they relate to this matter.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", written over a horizontal line.

John W. Nichols  
Clerk of the Panel

John W. Nichols  
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**IN RE: JUUL LABS, INC., MARKETING,  
SALES PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION**

Lumpkins v. Juul Labs, Inc., et al.,                     )  
N.D. Illinois, C.A. No. 1:21-05959                     )

MDL No. 2913

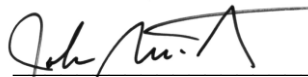
**ORDER VACATING CONDITIONAL TRANSFER ORDER  
AND VACATING THE JANUARY 27, 2022, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Lumpkins*) on November 8, 2021. Prior to expiration of that order's 7 day stay of transmission, plaintiff in *Lumpkins* filed a notice of opposition to the proposed transfer. Plaintiff later filed a motion and brief to vacate the proposed transfer order. The Panel has been informed that *Lumpkins* was remanded to Circuit Court of Cook County, Illinois, by the Honorable Matthew F. Kennelly in an order filed on December 20, 2021.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-76" filed on November 8, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, 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**

Husrom, et al. v. Las Vegas Medical Group, LLC, et al.,     )  
D. Nevada, C.A. No. 2:21-01929                                     )

MDL No. 2924

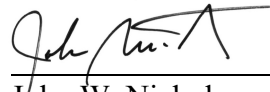
**ORDER VACATING CONDITIONAL TRANSFER ORDER**  
**AND VACATING THE JANUARY 27, 2022, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Husrom*) on November 1, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs in *Husrom* 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 informed that *Husrom* was remanded to the Eighth Judicial District Court of Clark County, Nevada, by the Honorable James C. Mahan in an order filed on January 26, 2022.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-80" filed on November 1, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as they relate to this action.

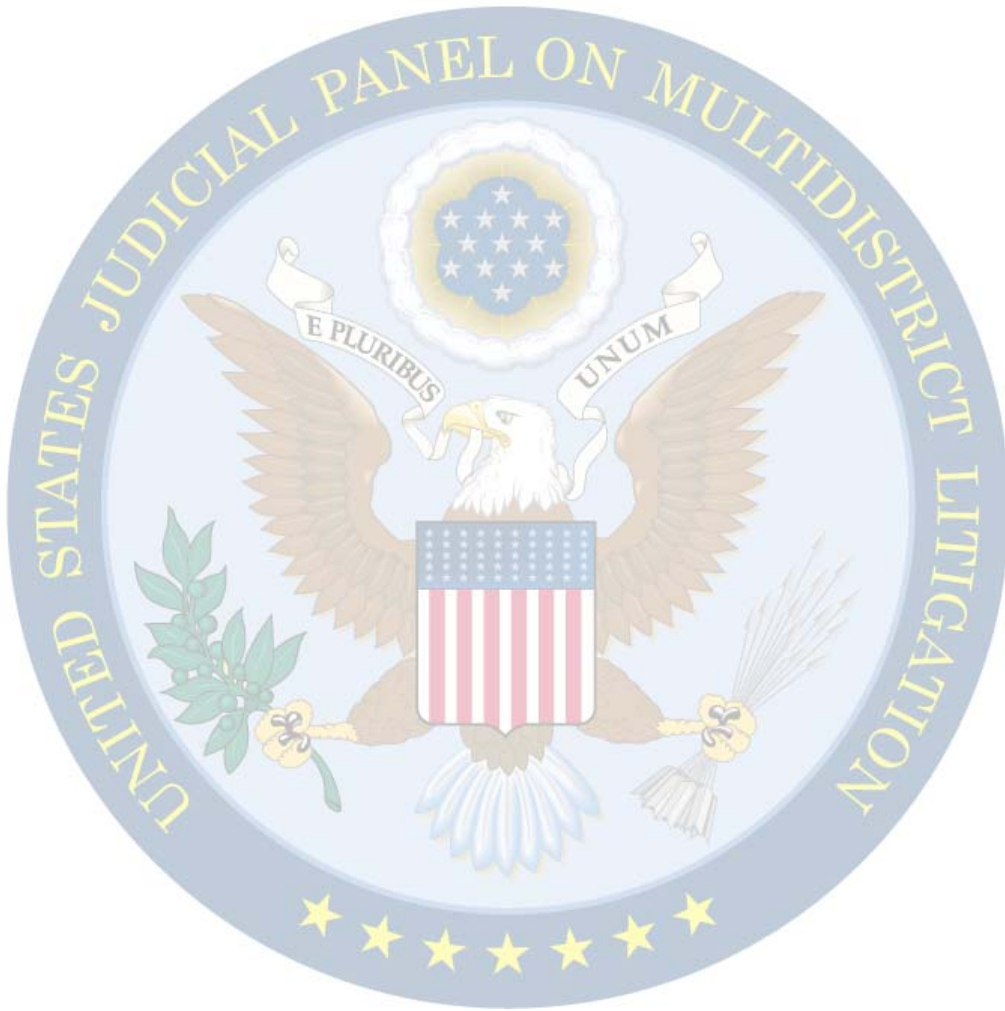
FOR THE PANEL:



John W. Nichols  
Clerk of the Panel



# Hearing Session Order & Amendments



March 31, 2022

**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 31, 2022**

LOCATION OF HEARING SESSION: Hale Boggs Federal Building  
United States Courthouse  
Room C501  
500 Poydras Street  
New Orleans, Louisiana 70130

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** 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 continues to monitor the ongoing COVID-19 pandemic. **At present, the Panel intends to hear oral argument in person, but reserves the option to hear oral argument by videoconference or teleconference should circumstances warrant.** Allocations of argument time will be made before the Hearing (using procedures employed at recent Panel hearings conducted by videoconference) such that counsel will be informed in advance of the hearing whether they are allocated time to argue. Allocations will not be made or changed at the Hearing. Further details regarding how the Hearing Session will be

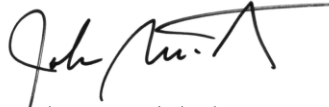
-2-

conducted 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. 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.
- 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 7, 2022**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a stylized flourish extending from the end.

John W. Nichols  
Clerk of the Panel

cc: Clerk, United States District for the Eastern District of Louisiana

**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 31, 2022, the Panel will convene a hearing session in New Orleans, Louisiana, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

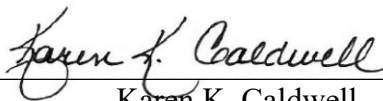
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

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). **Oral argument will be heard in person unless the Panel determines that circumstances caused by the COVID-19 pandemic warrant hearing argument by videoconference or teleconference.** Should the Panel determine that oral argument is to be conducted by videoconference or teleconference, the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this decision to counsel for all parties involved in the matters listed on the attached Schedule.

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

Nathaniel M. Gorton  
David C. Norton  
Dale A. Kimball

Matthew F. Kennelly  
Roger T. Benitez  
Madeline Cox Arleo

SCHEDULE OF MATTERS FOR HEARING SESSION  
March 31, 2022 -- New Orleans, Louisiana

**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. 3024 – IN RE: ATRIUM MEDICAL CORPORATION PROLITE AND  
PROLOOP HERNIA MESH PRODUCTS LIABILITY LITIGATION**

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

Central District of California

AVILA, ET AL. v. ATRIUM MEDICAL CORPORATION, ET AL.,  
C.A. No. 2:21–05223

District of New Jersey

MILLS v. ETHICON, INC., ET AL., C.A. No. 2:17–12624

District of New Mexico

AGUIRRE v. ATRIUM MEDICAL CORPORATION, ET AL., C.A. No. 2:18–00153

Western District of Wisconsin

KOLBECK v. ATRIUM MEDICAL CORPORATION, ET AL.,  
C.A. No. 3:21–00776

**MDL No. 3025 – IN RE: PROCTER & GAMBLE AEROSOL PRODUCTS MARKETING  
AND SALES PRACTICES LITIGATION**

Motion of defendant The Procter & Gamble Company to transfer the following actions to the United States District Court for the Southern District of Florida:

Central District of California

QUINONES v. THE PROCTER & GAMBLE COMPANY, C.A. No. 2:21–09595

Eastern District of California

AVILES, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 2:21-02108

Southern District of California

CANADAY v. THE PROCTER & GAMBLE COMPANY, C.A. No. 3:21-02024

Southern District of Florida

BRYSKI v. THE PROCTER & GAMBLE COMPANY, C.A. No. 0:21-62285  
LEYVA, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 4:21-10108

Eastern District of New York

TOPOREK v. THE PROCTER & GAMBLE COMPANY, C.A. No. 2:21-06185

Southern District of New York

DELCID v. THE PROCTER & GAMBLE COMPANY, C.A. No. 1:21-09454

Southern District of Ohio

VELASQUES, ET AL. v. THE PROCTER & GAMBLE COMPANY,  
C.A. No. 1:21-00723  
BAKER, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 1:21-00734  
ESQUIVEL, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 1:21-00762

District of Oregon

LYLE v. THE PROCTER & GAMBLE COMPANY, C.A. No. 3:21-01760

**MDL No. 3026 – IN RE: ABBOTT LABORATORIES, ET AL., PRETERM INFANT  
NUTRITION PRODUCTS LIABILITY LITIGATION**

Motion of defendants Abbott Laboratories and Abbott Laboratories, Inc., to transfer the following actions to the United States District Court for the District of Connecticut:

Central District of California

RICHARDSON v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 2:21-09932  
DAVIS v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 5:21-00481  
KELTON v. ABBOTT LABORATORIES, INC., C.A. No. 5:21-02145  
LITTLES v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 5:21-02146

District of Connecticut

HUNTE, ET AL. v. ABBOTT LABORATORIES, INC., C.A. No. 3:20–01626

District of District of Columbia

GEORGE v. ABBOTT LABORATORIES, INC., C.A. No. 1:20–02537

Middle District of Florida

SANCHEZ JUAN v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 6:21–00502

Northern District of Florida

CRAWFORD v. MEAD JOHNSON & COMPANY, ET AL., C.A. No. 1:21–00201

Northern District of Illinois

HALL v. ABBOTT LABORATORIES, C.A. No. 1:22–00071

RINEHART, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00192

GSHWEND, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00197

TAYLOR, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00203

STUPER, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00204

MAR v. ABBOTT LABORATORIES, C.A. No. 1:22–00232

RHODES v. ABBOTT LABORATORIES, C.A. No. 1:22–00239

Middle District of Louisiana

BROWN, ET AL. v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 3:21–00687

**MDL No. 3027 – IN RE: COLUMBIA RIVER DAMS CLEAN WATER ACT  
LITIGATION (NO. II)**

Motion of plaintiff Columbia Riverkeeper to transfer the following actions to the United States District Court for the Eastern District of Washington:

District of Oregon

COLUMBIA RIVERKEEPER v. UNITED STATES ARMY CORPS OF ENGINEERS,  
ET AL., C.A. No. 2:21–01777

Eastern District of Washington

COLUMBIA RIVERKEEPER v. UNITED STATES ARMY CORPS OF ENGINEERS,  
ET AL., C.A. No. 4:21–05152

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

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

Opposition of plaintiff Marina Law to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Southern District of Alabama

LAW v. BP EXPLORATION & PRODUCTION, INC., ET AL., C.A. No. 1:21–00520

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

Oppositions of plaintiffs Guy Monical, Tobi Altholz, and Ganita Shelnutt to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

District of New Jersey

MONICAL v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21–20202

ALTHOLZ v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21–20768

SHELNUTT v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21–20777

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

Opposition of plaintiff City of Holly Springs to transfer of the *City of Holly Springs* action to the United States District Court for the Northern District of Ohio and motion of defendant Endo Pharmaceuticals Inc. to transfer the *Taylor* action to the United States District Court for the Northern District of Ohio:

Northern District of Mississippi

CITY OF HOLLY SPRINGS v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21–00246

Eastern District of Pennsylvania

TAYLOR v. ENDO PHARMACEUTICALS, INC., C.A. No. 2:21–04276



MDL No. 2816 – **IN RE: SORIN 3T HEATER–COOLER SYSTEM PRODUCTS  
LIABILITY LITIGATION (NO. II)**

Opposition of plaintiff Patricia Napier to transfer of the following action to the United States District Court for the Middle District of Pennsylvania:

Southern District of Ohio

NAPIER v. LIVANOVA DEUTSCHLAND GMBH, ET AL., C.A. No. 1:21–00739

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

Opposition of plaintiff Marathon Petroleum Company LLP to transfer of the *Marathon Petroleum Company LLP* action to the United States District Court for the District of South Carolina and motion of defendant Daikin America, Inc. to transfer the *Johnson* action to the United States District Court for the District of South Carolina:

Northern District of Georgia

JOHNSON v. 3M COMPANY, ET AL., C.A. No. 4:20–00008

Eastern District of Michigan

MARATHON PETROLEUM COMPANY LP v. 3M COMPANY, ET AL.,  
C.A. No. 2:22–10117

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

Opposition of defendants Ahern Rentals, Inc., and Don F. Ahern to transfer of the following action to the United States District Court for the Western District of Missouri:

District of Nevada

EQUIPMENTSHARE.COM, INC. v. AHERN RENTALS INC., ET AL.,  
C.A. No. 2:21–01916

MDL No. 3014 – **IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND  
MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Roger Traversa to transfer of the following action to the United States District Court for the Western District of Pennsylvania:

Eastern District of Pennsylvania

TRAVERA v. KONINKLIJKE PHILIPS N.V., ET AL., C.A. No. 2:21–05674

MDL No. 3014 – **IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND  
MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION**

MDL No. 3021– **IN RE: SOCLEAN, INC., MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

Motion of defendants Philips RS North America LLC and Philips North America LLC to transfer of the following action to the United States District Court for the Western District of Pennsylvania in MDL No. 3014 and oppositions of plaintiff SoClean, Inc., and Anthony Sakalarios; Jesse Judson Brooks, Sr.; and Thomas N. Herbert to transfer of the following action to the United States District Court for the Western District of Pennsylvania in MDL No. 3021:

District of Massachusetts

SOCLEAN, INC. v. KONINKLIJKE PHILIPS N.V., ET AL., C.A. No. 1:21–11662

## RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard" and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process. Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.

(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIR:**

**Karen K. Caldwell**  
United States District Court  
Eastern District of Kentucky

**MEMBERS:**

**Nathaniel M. Gorton**  
United States District Court  
District of Massachusetts

**David C. Norton**  
United States District Court  
District of South Carolina

**Dale A. Kimball**  
United States District Court  
District of Utah

**Matthew F. Kennelly**  
United States District Court  
Northern District Illinois

**Roger T. Benitez**  
United States District Court  
Southern District of California

**Madeline Cox Arleo**  
United States District Court  
District of New Jersey

**DIRECT REPLY TO:**

**John W. Nichols**  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20544-0005

**Telephone: (202) 502-2800**  
**Fax: (202) 502-2888**

**ADVISORY**

Counsel appearing for oral argument before the Panel may bring cell phones and laptop computers into the courthouse. All cell phones must be turned off before entering the courtroom.

Everyone entering the courthouse must present photo identification.

Please see and plan to abide by the Eastern District of Louisiana's requirements regarding public access in light of COVID-19 which can be found on the court's website:  
<https://www.laed.uscourts.gov>.

**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 February 14, 2022, supplemental notice is hereby given regarding the March 31, 2022, hearing session scheduled to consider various matters under 28 U.S.C. § 1407.

**ORAL ARGUMENT:**

- Counsel presenting oral argument must be present at **8:30 a.m.** Oral argument will begin at **9:30 a.m.** (All times are Central Daylight Time.) The Panel will hear argument in the following dockets, in the following order, at this session:

MDL NO. 3024 – IN RE: ATRIUM MEDICAL CORPORATION  
PROLITE AND PROLOOP HERNIA MESH PRODUCTS LIABILITY  
LITIGATION

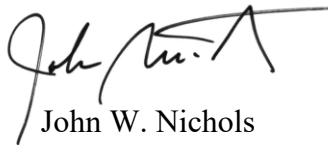
MDL NO. 3025 – IN RE: PROCTER & GAMBLE AEROSOL  
PRODUCTS MARKETING AND SALES PRACTICES LITIGATION

MDL NO. 3026 – IN RE: ABBOTT LABORATORIES, ET AL.,  
PRETERM INFANT NUTRITION PRODUCTS LIABILITY  
LITIGATION

- Please review and plan to abide by the Eastern District of Louisiana's requirements regarding public access in light of COVID-19 which can be found on the court's website: <https://www.laed.uscourts.gov>. Full compliance with the District's protocols may take some time. Please plan ahead—**the Panel will not delay argument because counsel is late to the courtroom due to the District's courthouse admittance procedures.**
- Counsel are advised that the District's COVID-19 procedures may limit the number of persons permitted in the courtroom. **In order to limit the number of counsel required in the courtroom, the Panel will allocate argument time in advance.** The Panel will not entertain arguments on the day of the hearing that counsel not allocated time be allowed to present argument. Non-arguing counsel need not travel to the Panel hearing, but if they choose to do so, their access to the courtroom may be restricted. If the Panel must restrict access to the courtroom, non-arguing counsel will be allowed to observe the proceedings by closed circuit link in an overflow courtroom.

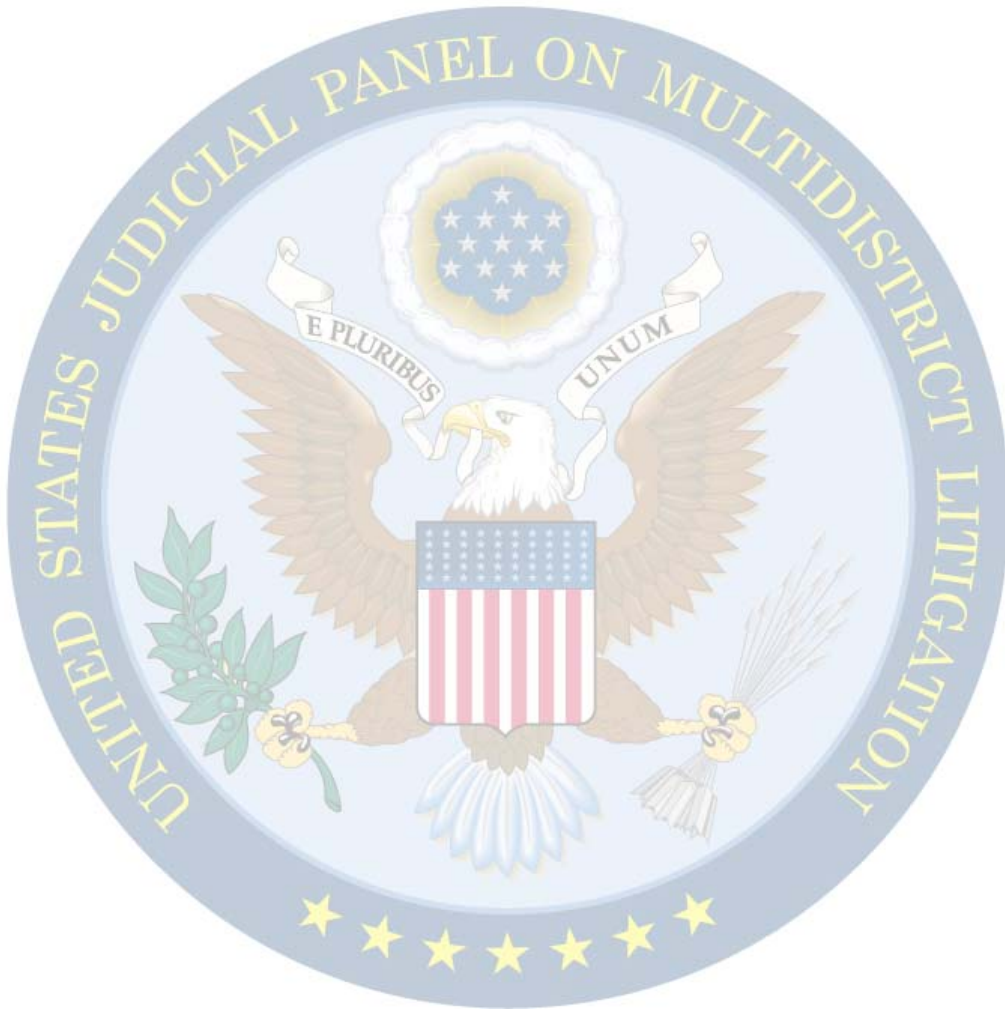
- All persons, including counsel and associated attendees, must wear masks in the courtroom and the overflow courtroom, regardless of vaccination status, unless instructed otherwise by the Panel.
- Counsel will not be permitted to appear remotely.
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may do so by contacting the court reporter at [Nichelle.Wheeler@laed.uscourts.gov](mailto:Nichelle.Wheeler@laed.uscourts.gov).
- Panel staff will email counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument the Panel's allocation of argument times. As indicated above, counsel who have not been allocated time may not be permitted to access the courtroom.
- 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 **March 17, 2022**. 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 stroke extending to the right.

John W. Nichols  
Clerk of the Panel

# Hearing Session Order & Amendments



May 26, 2022

**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 26, 2022**

LOCATION OF HEARING SESSION: Joseph F. Weis Jr. U.S. Courthouse  
Courtroom 6A, 6th Floor  
700 Grant Street  
Pittsburgh, Pennsylvania 15219

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** 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 continues to monitor the ongoing COVID-19 pandemic. **At present, the Panel intends to hear oral argument in person, but reserves the option to hear oral argument by videoconference or teleconference should circumstances warrant.** Allocations of argument time will be made before the Hearing (using procedures employed at recent Panel hearings conducted by videoconference) such that counsel will be informed in advance of the hearing whether they are allocated time to argue. Allocations will not be made or changed at the Hearing. Further details regarding how the Hearing Session will be



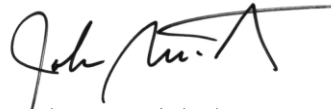
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conducted shall be provided after the filing of the parties' Notices of Presentation or Waiver of Oral Argument.

- 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. 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.
- 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 2, 2022**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a stylized flourish at the end.

John W. Nichols  
Clerk of the Panel

cc: Clerk, United States District for the Western District of Pennsylvania

**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 26, 2022, the Panel will convene a hearing session in Pittsburgh, Pennsylvania, 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). **Oral argument will be heard in person unless the Panel determines that circumstances caused by the COVID-19 pandemic warrant hearing argument by videoconference or teleconference.** Should the Panel determine that oral argument is to be conducted by videoconference or teleconference, the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this decision to counsel for all parties involved in the matters listed on the attached Schedule.

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

Nathaniel M. Gorton  
David C. Norton  
Dale A. Kimball

Matthew F. Kennelly  
Roger T. Benitez  
Madeline Cox Arleo

SCHEDULE OF MATTERS FOR HEARING SESSION  
May 26, 2022 -- Pittsburgh, Pennsylvania

**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. 3028 – IN RE: ONE APUS CONTAINER SHIP INCIDENT ON NOVEMBER 30, 2020**

Motion, as amended, of defendants Apex Logistics International Inc.; Orient Express Container Co., Ltd.; Flexport International LLC; Dimerco Express (USA) Corp.; RS Logistics Limited; Oregon International Air Freight Co.; Air Tiger Express (ASIA) Inc.; Apex Maritime Co. (LAX), Inc.; Apex Maritime Co. (ORD), Inc.; Apex Maritime Co., Inc.; and Rohlig USA, LLC, to transfer the following actions to the United States District Court for the Southern District of New York:

Central District of California

JEWELRY UNLIMITED, INC. v. PUDONG PRIME INTL LOGISTICS, INC.,  
C.A. No. 2:21–08200  
TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA v. AMERICAN  
COMMERCIAL TRANSPORT, INC., ET AL., C.A. No. 2:21–08784  
CERTAIN UNDERWRITERS AT LLOYDS OF LONDON SUBSCRIBING TO POLICY  
NO. 600230 v. EXPEDITORS INTERNATIONAL OF WASHINGTON, INC., ET AL.,  
C.A. No. 2:21–08951  
ATLANTIC SPECIALTY INSURANCE COMPANY, ET AL. v. APEX LOGISTICS  
INTERNATIONAL, INC., ET AL., C.A. No. 2:21–08974  
ASSTEAD HOLDINGS, INC. v. DE WELL CONTAINER SHIPPING, INC., ET AL.,  
C.A. No. 2:21–08985  
LIBERTY MUTUAL INSURANCE COMPANY, ET AL. v. CNK LINE AND  
LOGISTICS CO., LTD, ET AL., C.A. No. 2:21–09007  
ACE AMERICAN INSURANCE COMPANY, ET AL. v. AMERICA PACIFIC  
CONTAINER LINE, INC., ET AL., C.A. No. 2:21–09083  
NAVIGATORS MANAGEMENT COMPANY, INC. v. APEX LOGISTICS  
INTERNATIONAL, INC., ET AL., C.A. No. 2:21–09159  
STATE NATIONAL INSURANCE COMPANY, INC. v. DE WELL CONTAINER  
SHIPPING, INC., ET AL., C.A. No. 2:21–09290

BACKER EHP, INC., ET AL. v. M/V ONE APUS, ET AL., C.A. No. 2:21-09605  
FEDERAL INSURANCE COMPANY v. TOPOCEAN CONSOLIDATION SERVICE  
LOS ANGELES INC., C.A. No. 2:21-10016

Northern District of California

TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA v. FLEXPORT  
INTERNATIONAL LLC, ET AL., C.A. No. 3:21-08642  
STARR INDEMNITY & LIABILITY INSURANCE COMPANY, ET AL. v. APEX  
MARITIME CO. (LAX), INC., ET AL., C.A. No. 3:21-08879  
INDEMNITY INSURANCE COMPANY OF NORTH AMERICA v. FLEXPORT  
INTERNATIONAL LLC, C.A. No. 3:21-08957  
PEAG LLC, ET AL. v. FLEXPORT INTERNATIONAL LLC, C.A. No. 3:21-09376  
MEYER CORPORATION, ET AL. v. APEX MARITIME CO., INC.,  
C.A. No. 4:21-08947  
SME CONSOLIDATED LTD., ET AL. v. APEX MARTIME CO., INC., ET AL.,  
C.A. No. 4:21-09283

Northern District of Illinois

FEDERAL INSURANCE COMPANY v. AIT WORLDWIDE LOGISTICS, INC.,  
C.A. No. 1:21-06383  
NAVIGATORS MANAGEMENT COMPANY, INC. v. R.I.M. LOGISTICS, LTD.,  
C.A. No. 1:21-06406  
INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, ET AL. v.  
DIMERCO EXPRESS (U.S.A.) CORP., C.A. No. 1:21-06498

District of New Jersey

TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA v. DYNAMIC  
WORLDWIDE LOGISTICS, INC., C.A. No. 2:21-19924  
LIBERTY MUTUAL INSURANCE COMPANY v. AMERICAN INTERNATIONAL  
CARGO SERVICE, INC., C.A. No. 2:21-20152

Eastern District of New York

NAVIGATORS MANAGEMENT COMPANY, INC. v. AIRPORT CLEARANCE  
SERVICE, INC., C.A. No. 2:21-06856

Southern District of New York

MSIG MINGTAI INSURANCE CO., LTD., ET AL. v. DANMAR LINES LTD.,  
C.A. No. 1:21-07994

TOKIO MARINE NEWA INSURANCE CO., LTD. v. ORIENT EXPRESS CONTAINER  
CO., LTD., C.A. No. 1:21-09194

ATLANTIC SPECIALTY INSURANCE COMPANY, ET AL. v. CHINA INT'L  
FREIGHT CO., LTD., C.A. No. 1:21-09195

STARR INDEMNITY & LIABILITY COMPANY, ET AL. v. TRUST FREIGHT  
SERVICES, INC., ET AL., C.A. No. 1:21-09370

TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA v. ALL-WAYS  
FORWARDING INT'L, INC., ET AL., C.A. No. 1:21-09388

NAVIGATORS MANAGEMENT COMPANY, INC., ET AL. v. KINTETSU WORLD  
EXPRESS, INC., ET AL., C.A. No. 1:21-09546

M+R FORWARDING PTE. LTD. v. BENKEL INTERNATIONAL PTE LTD.,  
C.A. No. 1:21-09752

HANESBRANDS, INC., ET AL. v. EFL CONTAINER LINES, LLC, ET AL.,  
C.A. No. 1:21-09858

FEDERAL INSURANCE COMPANY v. US PACIFIC TRANSPORT, INC.,  
C.A. No. 1:21-09935

FEDERAL INSURANCE COMPANY v. ORIENT EXPRESS CONTAINER CO., LTD.,  
C.A. No. 1:21-09975

DE WELL CONTAINER SHIPPING, INC. v. CHIDORI SHIP HOLDING LLC, ET AL.,  
C.A. No. 1:21-09980

FEDERAL INSURANCE COMPANY v. LAUFER GROUP INTERNATIONAL, LTD.,  
ET AL., C.A. No. 1:21-09992

THE PEOPLE'S INSURANCE COMPANY OF CHINA (HONG KONG), LTD. v.  
DAMCO INTERNATIONAL B.V., ET AL., C.A. No. 1:21-10113

ALL-WAYS FORWARDING INT'L, INC. v. M/V ONE APUS, ET AL.,  
C.A. No. 1:21-10154

ROANOKE INSURANCE GROUP, INC. v. KUEHNE NAGEL INC., ET AL.,  
C.A. No. 1:21-10172

HUATAI PROPERTY & CASUALTY INSURANCE CO., LTD. QINGDAO BRANCH v.  
YANG MING MARINE TRANSPORT CORP., C.A. No. 1:21-10173

XL INSURANCE COMPANY, (AXA), ET AL. v. ALL-WAYS FORWARDING INT'L,  
INC., ET AL., C.A. No. 1:21-10177

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA v.  
KUEHNE + NAGEL, INC., ET AL., C.A. No. 1:21-10183

ATLANTIC SPECIALTY INSURANCE COMPANY v. ALL-WAYS FORWARDING  
INT'L, INC., ET AL., C.A. No. 1:21-10344

STARR INDEMNITY & LIABILITY COMPANY, INC. v. AIRPORT CLEARANCE  
SERVICE, INC., C.A. No. 1:21-10554  
DHL GLOBAL FORWARDING (THAILAND) LIMITED, ET AL. v. VANGUARD  
LOGISTICS SERVICES (HONG KONG) LTD., ET AL., C.A. No. 1:21-10598

District of Oregon

NAVIGATORS MANAGEMENT COMPANY, INC., ET AL. v. OREGON  
INTERNATIONAL AIR FREIGHT CO., C.A. No. 3:21-01703

Middle District of Tennessee

NAVIGATORS MANAGEMENT COMPANY, INC. v. WORLDBRIDGE LOGISTICS,  
INC., C.A. No. 3:21-00883

Southern District of Texas

STARR INDEMNITY & LIABILITY COMPANY v. CRANE WORLDWIDE  
LOGISTICS LLC, C.A. No. 4:21-03809

Western District of Washington

LIBERTY MUTUAL INSURANCE COMPANY v. EXPEDITORS INTERNATIONAL  
OCEAN, INC., ET AL., C.A. No. 2:21-01593  
NAVIGATORS MANAGEMENT COMPANY, INC. v. EXPEDITORS  
INTERNATIONAL OF WASHINGTON INC., C.A. No. 2:21-01598  
STARR INDEMNITY & LIABILITY COMPANY v. EXPEDITORS  
INTERNATIONAL OCEAN, INC., ET AL., C.A. No. 2:21-01606

**MDL No. 3029 – IN RE: COVIDIEN HERNIA MESH PRODUCTS LIABILITY  
LITIGATION (NO. II)**

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

Middle District of Florida

GARCIA v. COVIDIEN LP, ET AL., C.A. No. 6:21-01208

Southern District of Florida

RICCI, ET AL. v. MEDTRONIC, INC., C.A. No. 0:22-60211

Eastern District of Louisiana

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

District of Massachusetts

EASOM v. COVIDIEN, INC., ET AL., C.A. No. 1:21-11985  
ZIMMERMAN v. COVIDIEN, INC., ET AL., C.A. No. 1:21-11991  
CASTILLO v. COVIDIEN, INC., ET AL., C.A. No. 1:21-11995  
CICERCHIA, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-11996  
DAVIDSON, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-11998  
EDEN v. COVIDIEN, INC., ET AL., C.A. No. 1:21-11999  
HUDMAN, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12000  
KELGIN, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12001  
OGLESBY v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12002  
WILSON v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12003  
ZEIGLER v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12004  
ZETINA, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12005  
MORRIS v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12007  
ELLIS v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12008  
JOHNSON v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12009  
TAYLOR v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12010  
CAMPOPIANO v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12011  
PADILLA v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12014  
STREYAR v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12017  
WINTERS v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12018  
JUANZ v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12020  
PEAK, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12022  
ELLIOTT, JR. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12023  
HARO v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12024  
NASSAR v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12025  
KOTHLOW, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12026  
RHODES, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12027  
FORDOMS v. COVIDIEN, INC., ET AL., C.A. No. 1:21-12028  
LUZEY v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10076  
BEYMER v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10100  
BOLTON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10102

COVINGTON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10104  
MONTROYA v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10106  
OLLER v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10107  
CARTER v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10108  
BAILON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10109  
BARTELL v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10111  
BOUND v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10112  
HANKS v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10114  
GUY v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10116  
HURSH v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10118  
JOHNSON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10119  
JOHNSON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10120  
MARMOLEJO v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10121  
HANNA v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10122  
BENNETT v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10123  
SIPE v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10124  
WILSON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10125  
PASSMORE v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10136  
MUNGUIA v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10137  
SAITTA, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10138  
SMITH v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10139  
PIOTROWSKI v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10146  
KELLY v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10147  
MOYLE, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10149  
TOLENTINO v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10152  
PATTERSON, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10153  
RAPP v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10256  
ROBBINS v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10257  
BRACKEN v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10274  
GRIJALVA v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10275  
DAVIS v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10276  
HARRISON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10277  
JOHNSON v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10279  
JONES v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10280  
SANCHEZ v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10283  
STEWART v. COVIDIEN, INC., ET AL., C.A. No. 1:22-10284

Western District of Missouri

GRISHAM, ET AL. v. COVIDIEN, INC., ET AL., C.A. No. 4:21-00656



District of New Jersey

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

Northern District of Oklahoma

MCCALL v. COVIDIEN LP, ET AL., C.A. No. 4:21–00005

**MDL No. 3030 – IN RE: DEERE & COMPANY REPAIR SERVICES ANTITRUST  
LITIGATION**

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

Northern District of Alabama

WELLS v. DEERE & CO., C.A. No. 3:22–00074

Northern District of Illinois

FOREST RIVER FARMS v. DEERE & CO., C.A. No. 1:22–00188

PLUM RIDGE FARMS, LTD. v. DEERE & CO., C.A. No. 3:22–50030

BROWN v. DEERE & CO., C.A. No. 3:22–50039

Western District of Oklahoma

FERRELL, ET AL. v. DEERE & CO., C.A. No. 5:22–00157

Eastern District of Tennessee

UNDERWOOD v. DEERE & CO., C.A. No. 4:22–00005

**MDL No. 3031 – IN RE: DIRECT PURCHASER PLAINTIFF BEEF ANTITRUST  
LITIGATION**

Motion of plaintiffs Cheney Brothers, Inc.; Subway Protein Litigation Corp.; and Amory Investments LLC to transfer the following actions to the United States District Court for the District of Minnesota:

District of Connecticut

SUBWAY PROTEIN LITIGATION CORP. v. CARGILL, INC., ET AL.,  
C.A. No. 3:22–00289

Southern District of Florida

CHENEY BROTHERS, INC. v. CARGILL, INC., ET AL., C.A. No. 9:22–80153

Northern District of New York

AMORY INVESTMENTS LLC v. CARGILL, INC., ET AL., C.A. No. 3:22–00222

MDL No. 3032 – **IN RE: FAMILY DOLLAR STORES, INC., PEST INFESTATION  
LITIGATION**

Motion of plaintiff Jerome Whitney to transfer the following actions to the United States District Court for the Western District of Tennessee:

Southern District of Alabama

BROWN, ET AL. v. FAMILY DOLLAR, INC., ET AL., C.A. No. 2:22–00105

Eastern District of Arkansas

BROWN v. FAMILY DOLLAR, INC., ET AL., C.A. No. 2:22–00040

Western District of Louisiana

FIELDS, ET AL. v. FAMILY DOLLAR, INC., C.A. No. 3:22–00611

Southern District of Mississippi

LACY, ET AL. v. FAMILY DOLLAR, INC., C.A. No. 3:22–00098

Western District of Missouri

PERRONE v. FAMILY DOLLAR, INC., C.A. No. 6:22–03056

Western District of Tennessee

WHITNEY v. FAMILY DOLLAR, INC., C.A. No. 2:22–02138

Eastern District of Virginia

SMITH, ET AL. v. FAMILY DOLLAR SERVICES, LLC, ET AL., C.A. No. 1:22–00208

**MDL No. 3033 – IN RE: SENIOR HEALTH INSURANCE COMPANY OF  
PENNSYLVANIA REHABILITATION PLAN LITIGATION**

Motion of defendants Senior Health Insurance Company of Pennsylvania, Michael Humphreys, and Patrick Cantilo to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Southern District of Iowa

IOWA INSURANCE COMMISSIONER v. COMMISSIONER OF INSURANCE FOR  
THE COMMONWEALTH OF PENNSYLVANIA, ET AL., C.A. No. 4:22–00083

District of New Jersey

CARIDE, ET AL. v. ALTMAN, ET AL., C.A. No. 3:22–01329

Eastern District of North Carolina

CAUSEY v. ALTMAN, ET AL., C.A. No. 5:22–00089

District of North Dakota

GODFREAD, ET AL. v. ALTMAN, ET AL., C.A. No. 1:22–00044

**MDL No. 3034 – IN RE: NEO WIRELESS, LLC, PATENT LITIGATION**

Motion of plaintiff Neo Wireless, LLC to transfer the following actions to the United States District Court for the Eastern District of Texas:

Western District of Missouri

NEO WIRELESS, LLC v. FORD MOTOR COMPANY, C.A. No. 4:22–00210

Southern District of Ohio

NEO WIRELESS, LLC v. AMERICAN HONDA MOTOR CO., INC., ET AL.,  
C.A. No. 2:22–01824

Eastern District of Tennessee

NEO WIRELESS, LLC v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.  
C.A. No. 1:22–00076

Middle District of Tennessee

NEO WIRELESS, LLC v. NISSAN NORTH AMERICA, INC., ET AL.,  
C.A. No. 3:22-00220

Eastern District of Texas

NEO WIRELESS, LLC v. TOYOTA MOTOR NORTH AMERICA, INC., ET AL.,  
C.A. No. 2:22-00093

NEO WIRELESS, LLC v. GENERAL MOTORS COMPANY, ET AL.,  
C.A. No. 2:22-00094

NEO WIRELESS, LLC v. TESLA INC., C.A. No. 2:22-00095

**MDL No. 3035 – IN RE: AME CHURCH EMPLOYEE RETIREMENT FUND  
LITIGATION**

Motion of plaintiff Rev. Pearce Ewing to transfer the following actions to the United States  
District Court for the Western District of Tennessee:

Middle District of Florida

RUSS, ET AL. v. NEWPORT GROUP, INC., ET AL., C.A. No. 3:22-00375

District of Maryland

ALEXANDER v. HARRIS, ET AL., C.A. No. 8:22-00707

Western District of Tennessee

EWING v. NEWPORT GROUP, INC., ET AL., C.A. No. 2:22-02136

JACKSON v. NEWPORT GROUP, INC., ET AL., C.A. No. 2:22-02174

Eastern District of Virginia

WADE, ET AL. v. NEWPORT GROUP, INC., ET AL., C.A. No. 3:22-00179

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

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

Oppositions of plaintiffs Nancy Fried, William Bradley, and Charles Goodinson to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Central District of California

FRIED v. THOMAS P SCHMALZRIED, ET AL., C.A. No. 2:22–00434

Northern District of California

BRADLEY v. SCHMALZRIED, M.D., ET AL., C.A. No. 4:22–00414

District of New Jersey

GOODINSON v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:22–01320

**MDL No. 2441 – IN RE: STRYKER REJUVENATE AND ABG II HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Alice White-Hoppe to transfer of the following action to the United States District Court for the District of Minnesota:

District of Oregon

WHITE-HOPPE v. STRYKER CORPORATION, ET AL., C.A. No. 3:22–00189

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

Motions of defendants 3M Company; E. I. du Pont de Nemours and Company; The Chemours Company; Corteva, Inc.; and DuPont de Nemours, Inc., to transfer of their respective following actions to the United States District Court for the District of South Carolina:

Central District of California

ORANGE COUNTY WATER DISTRICT, ET AL. v. 3M COMPANY, ET AL.,  
C.A. No. 8:21-01029

Eastern District of New York

TOWN OF HUNTINGTON, ET AL. v. THE 3M COMPANY, ET AL.,  
C.A. No. 2:21-06076

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

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

Southern District of Florida

ALI v. 7-ELEVEN, INC., C.A. No. 1:22-20328

**MDL No. 2989 – IN RE: JANUARY 2021 SHORT SQUEEZE TRADING LITIGATION**

Opposition of plaintiffs Erik Chavez, 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

CHAVEZ, ET AL. v. APEX CLEARING CORPORATION, C.A. No. 1:22-01233

**MDL No. 2992 – IN RE: BANK OF AMERICA CALIFORNIA UNEMPLOYMENT  
BENEFITS LITIGATION**

Motion of defendant Bank of America, N.A. to transfer the following action to the United States District Court for the Southern District of California:

Eastern District of California

BOYD v. BANK OF AMERICA, N.A., C.A. No. 2:22–00244

**MDL No. 2996 – IN RE: MCKINSEY & COMPANY, INC., NATIONAL PRESCRIPTION  
OPIATE CONSULTANT LITIGATION**

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

District of Massachusetts

HURLEY v. MCKINSEY & COMPANY, INC., UNITED STATES, C.A. No. 3:22–10351

**MDL No. 3004 – IN RE: PARAQUAT PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs James Leonberger, et al., and Monica Lewis, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Illinois:

Northern District of Illinois

LEONBERGER, ET AL. v. SYNGENTA CROP PROTECTION LLC, ET AL.,  
C.A. No. 1:22–00960  
LEWIS, ET AL. v. SYNGENTA CROP PROTECTION LLC, ET AL.,  
C.A. No. 1:22–00961

**MDL No. 3010 – IN RE: GOOGLE DIGITAL ADVERTISING ANTITRUST  
LITIGATION**

Oppositions of plaintiffs Affilious, Inc., in *Klein* and advertiser plaintiffs Vitor Lindo, et al., in MDL No. 3010 to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of California

KLEIN, ET AL. v. META PLATFORMS, INC., C.A. No. 3:20–08570

## RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard" and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process. Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.

(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.



**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**CHAIR:**

**Karen K. Caldwell  
United States District Court  
Eastern District of Kentucky**

**MEMBERS:**

**Nathaniel M. Gorton  
United States District Court  
District of Massachusetts**

**David C. Norton  
United States District Court  
District of South Carolina**

**Dale A. Kimball  
United States District Court  
District of Utah**

**Matthew F. Kennelly  
United States District Court  
Northern District Illinois**

**Roger T. Benitez  
United States District Court  
Southern District of California**

**Madeline Cox Arleo  
United States District Court  
District of New Jersey**

**DIRECT REPLY TO:**

**John W. Nichols  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20544-0005**

**Telephone: (202) 502-2800  
Fax: (202) 502-2888**

**ADVISORY**

Counsel appearing for oral argument before the Panel may bring cell phones and laptop computers into the courthouse. All cell phones must be turned off before entering the courtroom.

Please see and plan to abide by the Western District of Pennsylvania's requirements regarding public access in light of COVID-19 which can be found on the court's website:

<https://www.pawd.uscourts.gov>.

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**FIRST AMENDMENT TO THE HEARING SESSION ORDER**  
**AND ATTACHED SCHEDULE FILED APRIL 14, 2022**

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on April 14, 2022, are amended to add the following action on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on May 26, 2022, in Pittsburgh, Pennsylvania.

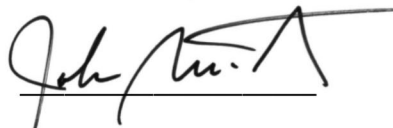
**MDL No. 2804 - IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

Motion of Defendants Mississippi CVS Pharmacy, L.L.C., Walgreen Co., and Walmart Inc., for reconsideration of the Panel's order denying transfer of the following action to the United States District Court for the Northern District of Ohio and vacating Conditional Transfer Order 211:

Northern District of Mississippi

City of Holly Springs v. Johnson & Johnson, et al., C.A. No. 3:21-00246

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", written over a horizontal line.

John W. Nichols  
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**SECOND AMENDMENT TO THE HEARING SESSION ORDER**  
**AND ATTACHED SCHEDULE FILED APRIL 14, 2022**

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on April 14, 2022, are amended to add the following action on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on May 26, 2022, in Pittsburgh, Pennsylvania.

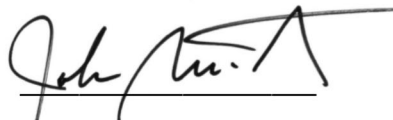
**MDL No. 2804 - IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

Motion of Pro Se Plaintiff Tad Taylor for reconsideration of the Panel's order denying transfer of the following action to the United States District Court for the Northern District of Ohio:

Eastern District of Pennsylvania

Taylor v. Endo Pharmaceuticals, Inc., C.A. No. 2:21-04276

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", written over a horizontal line.

John W. Nichols  
Clerk of the Panel

**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 14, 2022, supplemental notice is hereby given regarding the May 26, 2022, hearing session scheduled to consider various matters under 28 U.S.C. § 1407.

**ORAL ARGUMENT:**

- Counsel presenting oral argument must be present at **8:30 a.m.** Oral argument 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. 3028 – IN RE: ONE APUS CONTAINER SHIP INCIDENT ON NOVEMBER 30, 2020

MDL No. 3029 – IN RE: COVIDIEN HERNIA MESH PRODUCTS LIABILITY LITIGATION (NO. II)

MDL No. 3030 – IN RE: DEERE & COMPANY REPAIR SERVICES ANTITRUST LITIGATION

MDL No. 3031 – IN RE: DIRECT PURCHASER PLAINTIFF BEEF ANTITRUST LITIGATION

MDL No. 3032 – IN RE: FAMILY DOLLAR STORES, INC., PEST INFESTATION LITIGATION

MDL No. 3033 – IN RE: SENIOR HEALTH INSURANCE COMPANY OF PENNSYLVANIA REHABILITATION PLAN LITIGATION

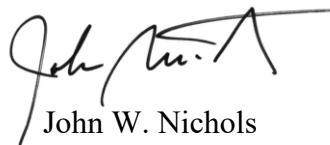
MDL No. 3034 – IN RE: NEO WIRELESS, LLC, PATENT LITIGATION

MDL No. 3035 – IN RE: AME CHURCH EMPLOYEE RETIREMENT FUND LITIGATION

- Please review and plan to abide by the Western District of Pennsylvania's requirements regarding public access and masks or face coverings in light of COVID-19 which can be found on the court's website: <https://www.pawd.uscourts.gov/>.

- **In order to limit the number of counsel required in the courtroom, the Panel will allocate argument time in advance.** The Panel will not entertain arguments on the day of the hearing that counsel not allocated time be allowed to present argument. Non-arguing counsel need not travel to the Panel hearing. Depending on social distancing rules in force in the courthouse at the time of the hearing, access to the courtroom may be limited, including for non-arguing counsel.
- Panel staff will email counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument the Panel's allocation of argument times.
- **All persons, including counsel and associated attendees, must wear masks in the courtroom, regardless of vaccination status, during the taking of appearances and when otherwise instructed by the Panel.**
- Counsel will not be permitted to appear remotely.
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may obtain the court reporter's contact information from the court reporter at the hearing or from the Panel at 202-502-2800 following the hearing.
- 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 12, 2022**. 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 stylized flourish extending from the end.

John W. Nichols  
Clerk of the Panel