

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

IN RE: FEDERAL TRADE COMMISSION,  
NEGATIVE OPTION RULE, RIN 3084-AB60,  
89 FED. REG. 90476, PUBLISHED ON  
NOVEMBER 15, 2024

MCP No. 192

(SEE ATTACHED SCHEDULE)

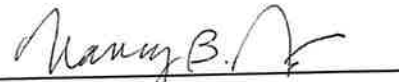
**CONSOLIDATION ORDER**

The Federal Trade Commission issued a final rule, announced on October 16, 2024, and published in the Federal Register on November 15, 2024. The Panel received, pursuant to 28 U.S.C. § 2112(a)(3), a notice of multicircuit petitions for review of that order, on November 20, 2024. The notice included petitions for review pending in the following four circuit courts of appeal: Fifth Circuit, Sixth Circuit, Eight Circuit, and Eleventh Circuit.

The Panel has randomly selected the United States Court of Appeals for the Eighth Circuit in which to consolidate these petitions for review.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 2112(a)(3), the petitions on the attached schedule are consolidated in the United States Court of Appeals for the Eighth Circuit, and that this circuit is designated as the circuit in which the record is to be filed pursuant to Rules 16 and 17 of the Federal Rules of Appellate Procedure.

FOR THE PANEL:



Nancy Stone, Staff Attorney  
Random Selector



Chelsea Thomas, Case Administrator  
Witness

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**SCHEDULE OF PETITIONS**

**CIRCUIT NO.**

**CASE CAPTION**

Fifth Circuit, No. 24-60542

Electronic Security Association, et al. v. FTC

Sixth Circuit, No. 24-3912

Michigan Press Association, et al. v. FTC

Eighth Circuit, No. 24-3137

Custom Communications, Inc. v. FTC

Eleventh Circuit, No. 24-13436

Chamber of Commerce of the United  
States of America, et al. v. FTC