

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: CAMP LEJEUNE, NORTH CAROLINA
WATER CONTAMINATION LITIGATION**

MDL No. 2218

TRANSFER ORDER

Before the Panel: Plaintiffs in the action listed on Schedule A (*Straw*) move under Panel Rule 7.1 to vacate our order conditionally transferring the action to MDL No. 2218. Defendant the United States opposes the motion to vacate.

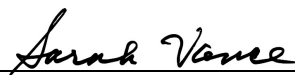
After considering the argument of counsel and plaintiffs, we find this action involves common questions of fact with the actions previously transferred to MDL No. 2218, and that transfer under 28 U.S.C. § 1407 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. Plaintiffs do not dispute that their action shares questions of fact with MDL No. 2218. Like many of the already-centralized actions, *Straw* involves factual questions arising from alleged death or injuries due to contaminated drinking water on the Marine Corps Base at Camp Lejeune, North Carolina. *See In re: Camp Lejeune, North Carolina Water Contamination Litig.*, 763 F. Supp. 2d 1381, 1381 (J.P.M.L. 2011).

In support of the motion to vacate, plaintiffs argue that (1) plaintiffs would be inconvenienced by transfer; and (2) transfer would delay plaintiffs' request for default. We are sympathetic to Mr. Straw's circumstances, but we find plaintiffs' arguments regarding convenience and his pending motion for default unpersuasive. The Panel repeatedly has held that, while transfer of a particular action might inconvenience some parties to that action, such a transfer is often necessary to further the expeditious resolution of the litigation taken as a whole. *See, e.g., In re: Crown Life Ins. Premium Litig.*, 178 F. Supp. 2d 1365, 1366 (J.P.M.L. 2001). As with any pending motion in the transferor court, plaintiffs can take up their motion for default with the transferee court. *Cf. In re: Prudential Ins. Co. of Am. Sales Practices Litig.*, 170 F. Supp. 2d 1346, 1347 (J.P.M.L. 2001).

IT IS THEREFORE ORDERED that the action listed on Schedule A is transferred to the Northern District of Georgia and, with the consent of that court, assigned to the Honorable Thomas W. Thrash, Jr., for inclusion in the coordinated or consolidated pretrial proceedings.

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PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink that reads "Sarah S. Vance". The signature is written in a cursive style with a prominent initial "S".

Sarah S. Vance

Chair

Marjorie O. Rendell
Lewis A. Kaplan
R. David Proctor

Charles R. Breyer
Ellen Segal Huvelle
Catherine D. Perry

**IN RE: CAMP LEJEUNE, NORTH CAROLINA
WATER CONTAMINATION LITIGATION**

MDL No. 2218

SCHEDULE A

Northern District of Illinois

STRAW, ET AL. V. UNITED STATES OF AMERICA, C.A. No. 1:15-01756