

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**IN RE: STRYKER REJUVENATE AND ABG II  
HIP IMPLANT PRODUCTS LIABILITY  
LITIGATION**

MDL No. 2441

**TRANSFER ORDER**

**Before the Panel:** *Pro se* plaintiff in a Southern District of Illinois action (*Hughes*) listed on the attached Schedule A moves under Panel Rule 7.1 to vacate the Panel's order conditionally transferring her action to MDL No. 2441. Defendant Stryker Corp. opposes the motion.

After considering the parties' arguments, we find that this action involves common questions of fact with the actions previously transferred to MDL No. 2441, 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. Moreover, transfer is warranted for reasons set out in our order centralizing this litigation. In that order, we held that the District of Minnesota was an appropriate Section 1407 forum for actions sharing factual questions arising from alleged injuries from Stryker Rejuvenate and ABG II hip implants. *See In re: Stryker Rejuvenate and ABG II Hip Implant Prods. Liab. Litig.*, 949 F. Supp. 2d 1378 (J.P.M.L. 2013). This action involves injuries arising from the implantation of Stryker Rejuvenate hip components and clearly falls within the MDL's ambit.

Plaintiff does not dispute that her action shares questions of fact concerning Rejuvenate hip implant components. Plaintiff instead opposes transfer by arguing that travel to the transferee forum will cause her significant hardships, including physical discomfort and costs, which she cannot bear. These arguments rest on a faulty premise. Because "Section 1407 transfer is for pretrial proceedings only, there is usually no need for the parties and witnesses to travel to the transferee district for depositions or otherwise." *See In re: Cygnus Telecommunications Tech., LLC, Patent Litig.*, 177 F. Supp. 2d 1375, 1376 (J.P.M.L. 2001). Transfer is appropriate in light of the substantial factual questions *Hughes* shares with the other 1,200 pending MDL actions.

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

PANEL ON MULTIDISTRICT LITIGATION



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Sarah S. Vance  
Chair

Lewis A. Kaplan  
R. David Proctor  
Karen K. Caldwell

Ellen Segal Huvelle  
Catherine D. Perry  
Nathaniel M. Gorton

**IN RE: STRYKER REJUVENATE AND ABG II  
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**SCHEDULE A**

Southern District of Illinois

HUGHES V. RAYMON, ET AL., C.A. No. 3:17-947