

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: ROUNDUP PRODUCTS
LIABILITY LITIGATION**

MDL No. 2741

TRANSFER ORDER

Before the Panel: Plaintiff in the *Aden* action listed on Schedule A moves under Panel Rule 7.1 to vacate our order that conditionally transferred *Aden* to the Northern District of California for inclusion in MDL No. 2741. Defendant Monsanto Company opposes the motion.

Plaintiff, who is proceeding *pro se*, argues in support of his motion that federal subject matter jurisdiction is lacking over his claims, and that his anticipated remand motion should be decided by the transferor court. Such jurisdictional issues, though, generally do not present an impediment to transfer. *See, e.g., In re Prudential Ins. Co. of Am. Sales Practices Litig.*, 170 F. Supp. 2d 1346, 1347-48 (J.P.M.L. 2001). Plaintiff can present his jurisdictional arguments to the transferee judge.

Therefore, after considering the parties' arguments, we find that the action listed on Schedule A involves common questions of fact with the actions transferred to MDL No. 2741, 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. In our order centralizing this litigation, we held that the Northern District of California was an appropriate Section 1407 forum for actions sharing factual questions arising out of allegations that Monsanto's Roundup herbicide, particularly its active ingredient, glyphosate, causes non-Hodgkin's lymphoma. *See In re Roundup Prods. Liab. Litig.*, 214 F. Supp. 3d 1346, 1348 (J.P.M.L. 2016). Plaintiff does not dispute that *Aden* shares multiple factual issues with the cases already in the MDL. Like plaintiffs in the MDL, plaintiff alleges that he developed non-Hodgkin's lymphoma after exposure to Roundup.

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IT IS THEREFORE ORDERED that the action listed on Schedule A is transferred to the Northern District of California and, with the consent of that court, assigned to the Honorable Vince Chhabria for coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION



Sarah S. Vance
Chair

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

Ellen Segal Huvelle
Catherine D. Perry
Nathaniel M. Gorton

**IN RE: ROUNDUP PRODUCTS
LIABILITY LITIGATION**

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SCHEDULE A

Southern District of Mississippi

ADEN v. MONSANTO COMPANY, C.A. No. 1:18-00377