

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION

MDL No. 2804

ORDER DENYING TRANSFER

Before the Panel:* *Pro se* Plaintiff Ronald Bass, Sr., in a district of New Jersey action moves under Section 1407 (c) to transfer the action, listed on Schedule A, to the Northern District of Ohio for inclusion in MDL No. 2804. No party opposed the motion.

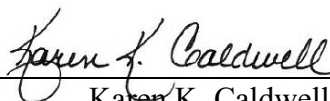
After considering the parties' arguments, we find that transfer of this action is not appropriate. In our order centralizing this litigation, we held that the Northern District of Ohio was an appropriate Section 1407 forum for actions sharing factual questions regarding the allegedly improper marketing and distribution of various prescription opiate medications into states, cities, and towns across the country. *See In re Nat'l Prescription Opiate Litig.*, 290 F. Supp.3d 1375, 1378-79 (J.P.M.L. 2017). The *Bass* plaintiff argues that his use of certain manufacturing defendants' medications caused him to become addicted to opiates, depriving him of employment opportunities as a longshoreman and at a Honda dealership. He contends that he was wrongfully accused by a state court judge of antisocial behavior and drug-related conduct, which led to the loss of his apartment and revocation of his parental rights to his son. Plaintiff also contends he lost opportunities to pursue a "patent pending for diabetic footwear." Despite any factual overlap that *Bass* shares with the MDL actions, we find that adding *Bass* to the MDL at this time will not serve the just and efficient conduct of *Bass* or the MDL as a whole.

The parties can employ alternatives to transfer to minimize whatever, if any, possibilities may arise of duplicative discovery and/or inconsistent pretrial rulings. *See, e.g., In re Eli Lilly & Co. (Cephalexin Monohydrate) Patent Litigation*, 446 F. Supp. 242, 244 (J.P.M.L. 1978); *see also Manual for Complex Litigation, Fourth*, § 20.14 (2004).

* Judges Ellen Segal Huvelle and Nathaniel M. Gorton did not participate in the decision of this matter.

IT IS THEREFORE ORDERED that the motion, pursuant to 28 U.S.C. § 1407(c), for transfer of this action is denied.

PANEL ON MULTIDISTRICT LITIGATION



Karen K. Caldwell

Chair

R. David Proctor
Matthew F. Kennelly

Catherine D. Perry
David C. Norton

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION

MDL No. 2804

SCHEDULE A

District of New Jersey

BASS v. PURDUE PHARMA L.P., ET AL., C.A. No. 2:19-19709