

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: AQUEOUS FILM-FORMING FOAMS  
PRODUCTS LIABILITY LITIGATION

MDL No. 2873

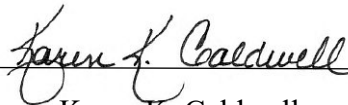
ORDER VACATING CONDITIONAL TRANSFER ORDER

**Before the Panel:**\* Plaintiffs in the *Grosch* action listed on Schedule A move under Panel Rule 7.1 to vacate our order that conditionally transferred *Grosch* to the District of South Carolina for inclusion in MDL No. 2873. Defendant Tyco Fire Products LP opposes this motion.

Plaintiffs argue that transfer will inconvenience the parties and witnesses to this action. We need not address this argument, however, given procedural developments in the underlying action. On September 15, 2023, the assigned judge in the District of Arizona granted plaintiffs' motion to remand the action to state court. *See* Order Granting Mots. to Remand and Stay, *Grosch v. Tyco Fire Prods. LP*, C.A. No. 2:23-01259 (D. Ariz. Sept. 15, 2023), ECF No. 13. Although the court has stayed remand for thirty days (to allow the removing party an opportunity to seek appellate review), transfer at this time would only introduce procedural inefficiencies with respect to this action. Accordingly, we grant plaintiffs' motion to vacate the conditional transfer order. Should *Grosch* remain in federal court once all proceedings relating to the remand order are concluded, the parties can notify the Panel at that time.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-143" is vacated as to the action listed on Schedule A.

PANEL ON MULTIDISTRICT LITIGATION



Karen K. Caldwell  
Chair

Nathaniel M. Gorton  
Roger T. Benitez  
Madeline Cox Arleo

Matthew F. Kennelly  
Dale A. Kimball

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\* Judge David C. Norton did not participate in the decision of this matter.

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PRODUCTS LIABILITY LITIGATION**

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**SCHEDULE A**

District of Arizona

GROSCH, ET AL. v. TYCO FIRE PRODUCTS LP, ET AL., C.A. No. 2:23-01259