

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY LITIGATION**

Weirton Area Water Board, et al. v. Heritage Thermal)
Services, Inc., et al., N.D. West Virginia,)
C.A. No. 5:25-00126)

MDL No. 2873

**ORDER DEEMING MOTION MOOT
AND VACATING THE JANUARY 29, 2026 HEARING SESSION ORDER**

Before the Panel is a motion by defendants Arcwood Environmental – East Liverpool, Inc. f/k/a Heritage Thermal Services, Inc., and Arcwood Transport, LLC, f/k/a Heritage Transport LLC, seeking transfer, pursuant to 28 U.S.C. § 1407, of this action to the District of South Carolina for inclusion in the coordinated or consolidated pretrial proceedings ongoing in MDL No. 2873. The Panel has now been advised that the moving defendants were dismissed for lack of personal jurisdiction on January 8, 2026, by the Honorable John Preston Bailey. No other party supports transfer of this action to MDL No. 2873. The motion to transfer is therefore moot. The Panel notes that defendants may renew their motion to transfer should the claims against them be reinstated.

IT IS THEREFORE ORDERED that the motion for transfer under 28 U.S.C. § 1407 is DEEMED MOOT.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 19, 2025, are VACATED insofar as they relate to this action.

FOR THE PANEL:



Marcella R. Lockert
Acting Clerk of the Panel