

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: ZANTAC (RANITIDINE)
PRODUCTS LIABILITY LITIGATION**

MDL No. 2924

ORDER DENYING TRANSFER

Before the Panel:* Defendants Boehringer Ingelheim Pharmaceuticals, Inc., Sanofi US Services Inc., Sanofi-Aventis U.S. LLC, Chattem, Inc., and Patheon Manufacturing Services LLC move under 28 U.S.C. § 1407(c) to transfer the five actions listed on Schedule A to the Southern District of Florida for inclusion in MDL No. 2924. Defendants state that plaintiffs do not oppose transfer.

After considering the parties' arguments, we find that transfer of the actions listed on Schedule A under 28 U.S.C. § 1407 will neither serve the convenience of the parties and witnesses, nor promote the just and efficient conduct of the litigation. Defendants argue that these actions share common questions of fact with the actions transferred to MDL No. 2924 and that transfer will promote efficiency. To be sure, plaintiffs here, like those in the MDL, allege that they developed cancer caused by ingestion of Zantac (ranitidine). *See In re Zantac (Ranitidine) Prods. Liab. Litig.*, 437 F. Supp. 3d 1368, 1369 (J.P.M.L. 2020). Ordinarily, transfer of such actions would be appropriate.

Multidistrict litigation, however, "is not static." *In re Bridgestone/Firestone, Inc., Tires Prods. Liab. Litig.*, 659 F. Supp. 2d 1371, 1372 (J.P.M.L. 2009). Here, common proceedings in the MDL have largely concluded. Common discovery has been completed, and the transferee court has granted summary judgment and entered judgment as to most actions filed in or transferred to the MDL. To the extent proceedings continue in the MDL, they primarily relate to a few later-filed actions involving "non-designated" cancers that were not prosecuted by lead counsel. For this reason, following consultation with the transferee judge, the Panel suspended the parties' obligation to notify the Clerk of the Panel of potential tag-along actions. *See Minute Order Suspending Rule 7.1(a)*, MDL No. 2924 (J.P.M.L. July 8, 2025), ECF No. 1482.

The relative merits of transferring new tag-along actions to an MDL can change over time as the transferee court completes its primary tasks, and at a certain point the "benefits of transfer should not be assumed to continue." *In re Bridgestone/Firestone*, 659 F. Supp. 2d at 1372. We are of the view that MDL No. 2924 has reached the point where the benefits of centralization are outweighed by the effects of transferring new cases to this mature litigation. Based on our review

* Judge Karen K. Caldwell did not participate in the decision of this matter.

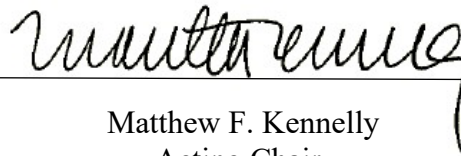
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of the progress of this litigation, we conclude that transfer of these five actions to MDL No. 2924 is not necessary to achieve the just and efficient conduct of the litigation. *See* 28 U.S.C. § 1407(a).¹

We see no reason why the parties in subsequent actions, subject to the same conditions imposed on the parties to MDL No. 2924, should not be able to avail themselves of the documents and depositions accumulated in this MDL. The involved courts may find useful guidance in the numerous pretrial rulings of Judge Robin L. Rosenberg in this docket. The parties also can employ alternatives to transfer to minimize whatever, if any, possibilities may arise of duplicative discovery or inconsistent pretrial rulings. *See, e.g., In re Eli Lilly & Co. (Cephalexin Monohydrate) Pat. Litig.*, 446 F. Supp. 242, 244 (J.P.M.L. 1978); *see also* Manual for Complex Litigation (Fourth) § 20.14 (2004). Thus, even absent transfer, most of the benefits of the MDL are available to expedite resolution of these cases.

IT IS THEREFORE ORDERED that the motion to transfer the actions listed on Schedule A to MDL No. 2924 is denied.

PANEL ON MULTIDISTRICT LITIGATION



Matthew F. Kennelly
Acting Chair

David C. Norton
Madeline Cox Arleo
Richard Seeborg

Dale A. Kimball
M. Casey Rodgers

¹ We note that many of the transferee court's dispositive rulings are on appeal. *See In re Zantac (Ranitidine) Prods. Liab. Litig.*, Nos. 21-12618, 21-14325, 23-10640, 23-11080, 23-12584, 23-12742, 23-13155, 23-13182, 23-13283 (11th Cir.) (argued on Oct. 10, 2025). Should the resolution of these appeals result in a resumption of substantial common pretrial proceedings, we may again consider whether transfer of tag-along actions to this MDL is appropriate.

**IN RE: ZANTAC (RANITIDINE)
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SCHEDULE A

Eastern District of Pennsylvania

COBAUGH v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,

C.A. No. 2:26-02149

GARDNER v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,

C.A. No. 2:26-02151

SPOTTS v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,

C.A. No. 2:26-02183

MARSHALL v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,

C.A. No. 2:26-02192

LOVE v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,

C.A. No. 2:26-02362