

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: GLUCAGON-LIKE PEPTIDE-1
RECEPTOR AGONISTS (GLP-1 RAS)
PRODUCTS LIABILITY LITIGATION**

MDL No. 3094

TRANSFER ORDER

Before the Panel:* Defendant Novo Nordisk Inc. moves under 28 U.S.C. § 1407(c) to transfer the *Pearsall* action listed on Schedule A to the Eastern District of Pennsylvania for inclusion in MDL No. 3094. Plaintiff in *Pearsall*, who is proceeding *pro se*, opposes transfer.

After considering the parties' arguments, we find that *Pearsall* involves common questions of fact with the actions transferred to MDL No. 3094, 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 Eastern District of Pennsylvania was an appropriate Section 1407 forum for personal injury actions in which plaintiffs allege that GLP-1 RAs cause gastroparesis, ileus, intestinal obstruction or pseudo-obstruction, or other gastrointestinal injury. See *In re Glucagon-Like Peptide-1 Receptor Agonists (GLP-1 RAs) Prods. Liab. Litig.*, 717 F. Supp. 3d 1370, 1373 (J.P.M.L. 2024). Plaintiff in *Pearsall* alleges that she was prescribed Ozempic, one of the GLP-1 RA medicines at issue in the MDL, and that it caused her to suffer various injuries, including gastrointestinal injuries such as pain when eating and drinking, nausea, and dehydration.

In opposition to transfer, plaintiff argues that she alleges other injuries, such as renal failure, pancreatitis, depression, and loss of hair and teeth. Plaintiff does not dispute, however, that she also alleges that Ozempic caused her to suffer gastrointestinal injuries. That plaintiff alleges additional injuries is not a sufficient basis to deny transfer. "Section 1407 does not require a complete identity or even majority of common factual issues as a prerequisite to transfer." *In re Ins. Brokerage Antitrust Litig.*, 360 F. Supp. 2d 1371, 1372 (J.P.M.L. 2005).

Plaintiff also argues that transfer is not appropriate because the Clerk of the Panel declined to place *Pearsall* on a conditional transfer order. This argument is not well taken. The Clerk's determination of whether an action should be placed on a conditional transfer order "is simply an administrative act of the Clerk which can be and will be vacated upon the showing of good cause by any party." *In re Grain Shipments*, 319 F. Supp. 533, 534 (J.P.M.L. 1970). The Panel Rules specifically allow parties, such as Novo Nordisk, to move for transfer of an action when the Panel

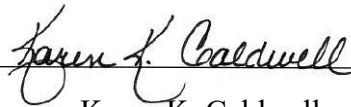
* Judge M. Casey Rodgers did not participate in the decision of this matter.

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Clerk declines to place the action on a conditional transfer order. *See* Panel Rule 7.1(b)(i). Upon our review of the facts alleged in *Pearsall* and the parties' arguments, transfer is appropriate.

IT IS THEREFORE ORDERED that the action listed on Schedule A is transferred to the Eastern District of Pennsylvania and, with the consent of that court, assigned to the Honorable Karen S. Marston for coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in cursive script, reading "Karen K. Caldwell", is positioned above a horizontal line.

Karen K. Caldwell
Chair

Matthew F. Kennelly
Dale A. Kimball
Richard Seeborg

David C. Norton
Madeline Cox Arleo

**IN RE: GLUCAGON-LIKE PEPTIDE-1
RECEPTOR AGONISTS (GLP-1 RAS)
PRODUCTS LIABILITY LITIGATION**

MDL No. 3094

SCHEDULE A

Middle District of North Carolina

PEARSALL v. NOVO NORDISK, C.A. No. 1:26-00475