

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: DEPO-PROVERA  
(DEPOT MEDROXYPROGESTERONE ACETATE)  
PRODUCTS LIABILITY LITIGATION**

MDL No. 3140

**TRANSFER ORDER**

**Before the Panel:**\* Plaintiff in the action listed on Schedule A (*Daniels*) moves under Panel Rule 7.1 to vacate the order conditionally transferring the action to MDL No. 3140. Defendants Pfizer Inc., Pharmacia and Upjohn Company LLC, Pharmacia LLC, Greenstone LLC, Viatris Inc., and Prasco, LLC d/b/a Prasco Laboratories oppose the motion and support transfer.

After considering the argument of counsel, we find that this action involves common questions of fact with the actions transferred to MDL No. 3140, 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 establishing this MDL, we held that centralization was warranted for actions sharing factual questions arising from allegations that Depo-Provera (depot medroxyprogesterone acetate)—an injectable contraceptive—causes certain users to develop meningiomas, a type of brain tumor. *See In re Depo-Provera (Depot Medroxyprogesterone Acetate) Prods. Liab. Litig.*, 766 F. Supp. 3d 1343 (J.P.M.L. Feb. 7, 2025). Plaintiff in *Daniels* alleges that she developed multiple intracranial meningiomas as a result of using depot medroxyprogesterone acetate (Depo-Provera).

Plaintiff does not dispute that her action and the MDL actions share common factual questions. Instead, plaintiff argues that federal subject matter jurisdiction over her action is lacking, and her pending motion for remand to state court should be decided before transfer. We are not persuaded by these arguments. We have routinely held that such jurisdictional objections generally do not present an impediment to transfer.<sup>1</sup> *See, e.g., In re Prudential Ins. Co. of Am. Sales Pracs. Litig.*, 170 F. Supp. 2d 1346, 1347–48 (J.P.M.L. 2001) (“[R]emand motions can be presented to and decided by the transferee judge.”). “This is so even where, as here, plaintiffs assert that the removals were patently improper.” *In re Ford Motor Co. DPS6 PowerShift Transmission Prods. Liab. Litig.*, 289 F. Supp. 3d 1350, 1352 (J.P.M.L. 2018).

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\* Judge Dale A. Kimball took no part in the decision of this matter.

<sup>1</sup> Panel Rule 2.1(d) expressly provides that the pendency of a conditional transfer order does not limit the pretrial jurisdiction of the court in which the subject action is pending. Between the date a remand motion is filed and the date that transfer of the action to the MDL is finalized, a court generally has adequate time to rule on a remand motion if it chooses to do so.

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Transfer is appropriate despite the alleged inconvenience to plaintiff, who resides in Illinois. In deciding transfer, we look to “the overall convenience of the parties and witnesses in the litigation as a whole, not just those of a single plaintiff or defendant in isolation.” *See In re Watson Fentanyl Patch Prods. Liab. Litig.*, 883 F. Supp. 2d 1350, 1351–52 (J.P.M.L. 2012). Because transfer is for pretrial purposes only, plaintiffs typically need not travel to the transferee court and can be deposed where they live.

IT IS THEREFORE ORDERED that the action listed on Schedule A is transferred to the Northern District of Florida and, with the consent of that court, assigned to the Honorable M. Casey Rodgers for inclusion in the coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION

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

Karen K. Caldwell  
Chair

Nathaniel M. Gorton  
David C. Norton  
Madeline Cox Arleo

Matthew F. Kennelly  
Roger T. Benitez

**IN RE: DEPO-PROVERA  
(DEPOT MEDROXYPROGESTERONE ACETATE)  
PRODUCTS LIABILITY LITIGATION**

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**SCHEDULE A**

Southern District of Illinois

DANIELS v. PFIZER INC., ET AL., C.A. No. 3:25-00188