

UNITED STATES JUDICIAL PANEL

on

MULTIDISTRICT LITIGATION

CHAIRMAN:  
Judge John G. Heyburn II  
United States District Court  
Western District of Kentucky

MEMBERS:  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888  
<http://www.jpml.uscourts.gov>

February 20, 2008

Bruce Rifkin, Clerk  
U.S. Courthouse, Lobby Level  
700 Stewart Street  
Seattle, WA 98101

FILED  
LODGED  
RECEIVED **MAIL**

FEB 25 2008

Re: MDL No. 1407 -- IN RE: Phenylpropanolamine (PPA) Products Liability Litigation

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

(See Attached CRO)

Dear Mr. Rifkin:

I am enclosing a certified copy and one additional copy of a conditional remand order filed by the Panel in the above-captioned matter on February 1, 2008. The order was entered pursuant to 28 U.S.C. § 1407(a) which provides that "[E]ach action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred...."

Please note that transmittal of the order was stayed 15 days to give any party an opportunity to oppose the remand. The 15-day period has now elapsed, no opposition has been received, and the order is directed to you for filing.

Pursuant to Rule 7.6(g) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 438 (2001), parties are to furnish you with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to enable you to comply with the remand order.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By *Janika Minter*  
Deputy Clerk

Enclosures

cc: Transferee Judge: Judge Barbara Jacobs Rothstein  
Transferor Clerk: J. Michael McMahon



05-CV-01522-ORD

**A CERTIFIED TRUE COPY**

FEB 20 2008

ATTEST *[Signature]*  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FEB - 1 2008

FILED  
CLERK'S OFFICE

**IN RE: PHENYLETHANOLAMINE (PPA) PRODUCTS  
LIABILITY LITIGATION**

John Phillips, et al. v. Bayer Corp., )  
W.D. Washington, C.A. No. 2:05-1522 )  
(S.D. New York, C.A. No. 1:05-6391) )

MDL No. 1407

**CONDITIONAL REMAND ORDER**

The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the action on this conditional remand order has been completed and that remand to the transferor court, as provided in 28 U.S.C. §1407(a), is appropriate.

IT IS THEREFORE ORDERED that the action on this conditional remand order be remanded to the United States District Court for the Southern District of New York.

IT IS ALSO ORDERED that, pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001) (Rules), the transmittal of this order to the transferee clerk for filing shall be stayed 15 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Western District of Washington.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), the parties shall furnish the Clerk for the Western District of Washington with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

FOR THE PANEL:

*[Signature]*  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

FEB 20 2008

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

FEB - 1 2008

FILED  
CLERK'S OFFICE

IN RE: PHENYLPROPANOLAMINE (PPA) PRODUCTS  
LIABILITY LITIGATION

John Phillips, et al. v. Bayer Corp., )  
W.D. Washington, C.A. No. 2:05-1522 )  
(S.D. New York, C.A. No. 1:05-6391) )

MDL No. 1407

CONDITIONAL REMAND ORDER

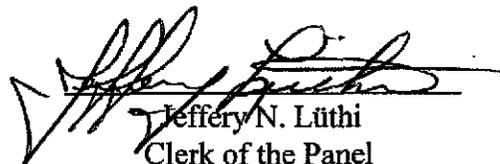
The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the action on this conditional remand order has been completed and that remand to the transferor court, as provided in 28 U.S.C. §1407(a), is appropriate.

IT IS THEREFORE ORDERED that the action on this conditional remand order be remanded to the United States District Court for the Southern District of New York.

IT IS ALSO ORDERED that, pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001) (Rules), the transmittal of this order to the transferee clerk for filing shall be stayed 15 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Western District of Washington.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), the parties shall furnish the Clerk for the Western District of Washington with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

FEB 20 2008

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION