UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

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

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

Judge Robert L. Miller, Jr.
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Northern District of Indiana

DIRECT REPLY TO:

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One Columbus Circle, NE
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AUG 19 2003
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

August 15, 2003

Bruce Rifkin, Clerk
215 William Kenzo NakamuraU.S. Courthouse
1010 Fifth Avenue
Seattle, WA 98104-1130

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached Schedule CTO-31)

Dear Mr. Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on July 30, 2003. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By _____
Deputy Clerk

Attachments

cc: Transferee Judge: Judge Barbara Jacobs Rothstein
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

JPML Form 38

01-MD-01407-ORD

A CERTIFIED TRUE COPY

AUG 15 2003

ATTEST
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL 30 2003

FILED
CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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AUG 19 2003

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

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-31)

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,111 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

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

AUG 15 2003

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-31 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT	DIV.	CIVIL ACTION#	
ALABAMA MIDDLE			
ALM	3	03-394	Wilburn Ralston, et al. v. Bayer Corp.
ARKANSAS EASTERN			
~~ARE~~	~~4~~	~~03-250~~	~~Brendra Joseph, et al. v. Chattem, Inc., et al.~~ Opposed 08/08/03
CALIFORNIA CENTRAL			
CAC	2	03-3389	Ralph Guzman, et al. v. Wyeth, et al.
CAC	2	03-3391	Enrique Rivera v. Wyeth, et al.
IOWA SOUTHERN			
IAS	4	03-90254	Renee Donohue v. Chattem, Inc., et al.
IDAHO			
ID	1	03-5	Linda Smiley, et al. v. Bayer Corp.
LOUISIANA MIDDLE			
LAM	3	03-402	Matthew H. Jewell v. American Home Products Corp., et al.
MISSISSIPPI SOUTHERN			
~~MSS~~	~~3~~	~~03-529~~	~~Linda Harris~~, et al. ~~v. L. Perrigo Co.~~, et al.
MSS	3	03-610	Essie Clark, et al. v. Novartis Consumer Health, Inc., et al.
MSS	3	03-636	Ellis A. Stuart, Jr., et al. v. Bayer Corp., et al.
MSS	3	03-713	Donell Williams v. Bayer Corp.
MSS	3	03-722	Tyree Wheeler, et al. v. Bayer Corp., et al.
MSS	3	03-724	Quitman Sims, et al. v. Bayer Corp., et al.
~~MSS~~	~~3~~	~~03-738~~	~~Thomas Jason Taylor v. American Home Products Corp., et al.~~ Opposed 08/15/03
~~MSS~~	~~5~~	~~03-270~~	~~Jannie Clark, et al. v. Wyeth Pharmaceuticals, Inc., et al.~~ Opposed 08/12/03
NEW HAMPSHIRE			
NH	1	03-165	Amy Bongiovanni, etc. v. Bayer Corp.
NEW YORK EASTERN			
~~NYE~~	~~1~~	~~03-2155~~	~~Joseph Zennaro, etc. v. Wyeth, Inc., et al.~~ Opposed 08/15/03
NEW YORK SOUTHERN			
~~NYS~~	~~1~~	~~02-8018~~	~~Phyllis McComas v. Leiner Health Products, Inc., et al.~~ Opposed 08/14/03
WEST VIRGINIA SOUTHERN			
WVS	2	03-346	Susie Rebecca Adkins v. Wyeth Laboratories, Inc., et al.

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DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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DOCKET NO. 1407
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~~U.S. District Judge~~
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Hon. Mark E. Fuller
U.S. District Judge
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~~U.S. District Judge~~
~~319 U.S. Courthouse~~
~~225 Cadman Plaza East~~
~~Brooklyn, NY 11201~~

~~Hon. Thomas P. Griesa~~
~~Senior U.S. District Judge~~
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Hon. Consuelo Bland Marshall
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DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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