UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
U.S. COURTHOUSE, SUITE 215
SEATTLE, WASHINGTON 98104

September 18, 2002

FILED ____ ENTERED
____ LODGED ____ RECEIVED

SEP 26 2002

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

Mr. Richard Sletten
Clerk
United States District Court
202 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) Products Liability Litigation

Dear Clerk:

Enclosed is a certified copy of the Transfer Order (CTO-19) entered by the Judicial Panel on Multidistrict Litigation. The Order became effective September 3, 2002. We have assigned an individual Western Washington District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our civil case number.

Title of Case	Your Number	WAW Number
Billy Joe Stanley v. Johnson & Johnson	0:02-1764	CV02-2015

Sincerely,

BRUCE RIFKIN, CLERK
By
Valerie Barber, Deputy Clerk
206-553-4170 ext 4

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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 Morey L. Sear
United States District Court
Eastern District of Louisiana

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

DIRECT REPLY TO:

Michael J. Beck
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

September 3, 2002

Loretta G. Whyte, Clerk
U.S. District Court
C-151 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130-3367

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

Re: MDL-1355 -- In re Propulsid Products Liability Litigation
Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Billy Joe Stanley, etc. v. Johnson & Johnson, et al., D. Minnesota, C.A. No. 0:02-1764

Dear Ms. Whyte and Mr. Rifkin

I am enclosing one certified and additional copies of a conditional transfer order filed by the Panel in the above-captioned action on August 15, 2002. Section 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 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), execution 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

Attachment
cc: Transferee Judge: Hon. Eldon E. Fallon; Hon. Barbara Jacobs Rothstein
Transferor Judge: Hon. Michael J. Davis
Transferor Clerk: Richard Sletten

A CERTIFIED TRUE COPY

SEP - 3 2002

ATTEST
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 15 2002

FILED
CLERK'S OFFICE

DOCKETS NO. 1355 AND 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL-1355 -- IN RE PROPULSID PRODUCTS LIABILITY LITIGATION
MDL-1407 -- IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Billy Joe Stanley, etc. v. Johnson & Johnson, et al., D. Minnesota, C.A. No. 0:02-1764

MDL-1355 CONDITIONAL TRANSFER ORDER (CTO-44) WITH SEPARATION, REMAND AND MDL-1407 CONDITIONAL TRANSFER OF CERTAIN CLAIMS (CTO-19)

On August 7, 2000, the Panel transferred one civil action to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings in MDL-1355 pursuant to 28 U.S.C. §1407. Since that time, more than 273 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions in MDL-1355 have been assigned to the Honorable Eldon E. Fallon.

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 in MDL-1407 pursuant to 28 U.S.C. §1407. Since that time, more than 530 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions in MDL-1407 have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the action on this conditional transfer order (*Stanley*) involves questions of fact which are common to both i) the actions in MDL-1355 previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon, and ii) the actions in MDL-1407 previously transferred to the Western District of Washington and assigned to Judge Rothstein. *Stanley* comprises two sets of claims, as follows:) 1) Propulsid claims -- claims against defendants Johnson & Johnson and Janssen Pharmaceutica, Inc., that involve common questions of fact with claims in the previously transferred MDL-1355 actions relating to alleged injuries from the pharmaceutical product Propulsid; and 2) PPA claims -- claims against defendants Novartis Pharmaceuticals Corporation and American Home Products Corporation that involve common questions of fact with claims in the previously transferred MDL-1407 actions relating to alleged injuries from products containing Phenylpropanolamine (PPA.)

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), the above-captioned action is hereby transferred under 28 U.S.C. §1407 to the Eastern District of Louisiana for the reasons stated in the MDL-1355 transfer order of August 7, 2000, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

The PPA claims in the above-captioned action are hereby separated and remanded, under 28 U.S.C. §1407(a), to the District of Minnesota.

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), the PPA claims in the above-captioned action are hereby transferred under 28 U.S.C. §1407 to the Western District of Washington for the reasons stated in the MDL-1407 transfer 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 offices of i) the Clerk of the United States District Court for the Eastern District of Louisiana, and ii) the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerks 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.

SEP - 3 2002

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

INVOLVED COUNSEL LIST
DOCKET NO. 1355 (CTO-44)
IN RE PROPULSID PRODUCTS LIABILITY LITIGATION
DOCKET NO. 1407 (CTO-19)
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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