

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

SEP 19 2005

FILED  
CLERK'S OFFICE

DOCKET NO. 1407

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL REMAND ORDER**

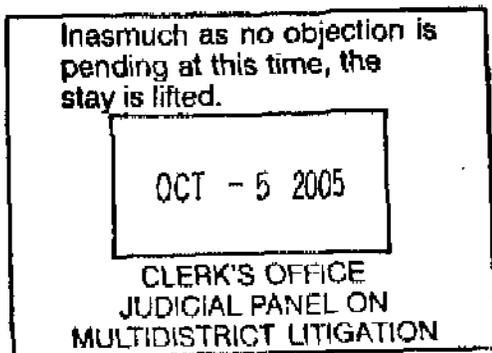
The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the actions listed on the attached schedule assigned to it have been completed and that remand of the actions to the transferor courts, as provided in 28 U.S.C. §1407(a), is appropriate.

IT IS THEREFORE ORDERED that the actions listed on the attached schedule be remanded to their respective transferor courts.

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), the transmittal of this order to the transferee clerk for filing shall be stayed fifteen days from the date of this order and if any party files a Notice of Opposition with the Clerk of the Panel within this fifteen-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), R.P.J.P.M.L., and coinciding with the effective date of this order, 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 furnish said Clerk 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:



Michael J. Beck  
Michael J. Beck  
Clerk of the Panel

**SCHEDULE FOR CONDITIONAL REMAND ORDER  
DOCKET NO. 1407  
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

<u>--- TRANSFEREE ---</u>			<u>--- TRANSFEROR ---</u>			<u>CASE CAPTION</u>
<u>DIST.</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>DIST.</u>	<u>DIV.</u>	<u>C.A. NO.</u>	
WAW	2	03-405	ALS	1	02-941	Susan Wallace v. Novartis Consumer Health, Inc., et al.
WAW	2	03-2755	CAC	2	03-3391	Enrique Rivera v. Wyeth, et al.
WAW	2	04-373	CAC	2	03-8372	Valerie Adams v. Wyeth, et al.
WAW	2	04-701	FLN	3	04-12	John Sheppard, et al. v. Wyeth, et al.
WAW	2	03-591	GAN	1	02-3289	Margaret Barnett v. Smithkline Beecham Corp., et al
WAW	2	04-379	MN	0	03-6189	James F. Lewis, et al. v. Wyeth, et al.
WAW	2	04-542	MN	0	03-6489	Juanita Frazier v. Wyeth Consumer Healthcare
WAW	2	04-543	MN	0	03-6533	Clara Hall, etc. v. Bayer Corp.
WAW	2	02-1865	NH	1	02-173	Rebecca Snedeker, et al. v. GlaxoSmithKline
WAW	2	02-1534	OHN	1	02-885	Donald Zagorski v. Bayer Corp.
WAW	2	03-453	PAW	2	02-1848	Vera Davenport v. Bayer Corp.
WAW	2	03-480	WVN	5	02-166	Eugenia C. Kennamer, et al. v. Wyeth, et al.
WAW	2	03-1400 *	ALM	2	01-1280	Belinda Jill Chavers v. Bayer Corp.
WAW	2	03-1404 *	ALM	2	01-1280	Gwendolyn Brown v. Bayer Corp.
<del>WAW</del>	<del>2</del>	<del>03-1709 *</del>	<del>LAE</del>	<del>2</del>	<del>02-171</del>	<del>Adeline Foster, et al. v. American Home Products Corp., et al.</del> <b>VACATED 9/29/05</b>
WAW	2	03-2083 *	LAM	3	03-74	Yolanda Eames v. Bayer Corp.
<del>WAW</del>	<del>2</del>	<del>03-2253 *</del>	<del>MSN</del>	<del>4</del>	<del>02-18</del>	<del>Adell Brown v. Bayer Corp.</del> <b>VACATED 9/29/05</b>
WAW	2	03-2909 *	ALN	2	03-302	Jenette Madison v. Bayer Corp., et al.
WAW	2	03-2914 *	ALN	2	03-302	James Rankins v. Bayer Corp., et al.
WAW	2	03-2919 *	ALN	2	03-302	Martha Chambers v. Bayer Corp., et al.
WAW	2	03-3538 *	MSS	5	03-124	Deola Edwards v. Novartis Pharmaceuticals Corp., et al.

\* WAW case number was assigned after severance order was issued in Western District of Washington

**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 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.  
United States District Court  
Northern District of Indiana

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

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

**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  
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<http://www.jpml.uscourts.gov>

October 5, 2005

FILED  
LODGED

ENTERED  
RECEIVED

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

OCT 14 2005

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

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

(See Attached CRO and Scheduled of Actions)

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 September 19, 2005. 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 fifteen (15) days to give any party an opportunity to oppose the remand. The fifteen-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,

Michael J. Beck  
Clerk of the Panel

By   
Deputy Clerk

Enclosures

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

JPML Form 41