

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 Julia Smith Gibbons
United States District Court
Western District of Tennessee

DIRECT REPLY TO

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

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

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

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

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

October 15, 2001

FILED
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OCT 18 2001

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

Bruce Rifkin, Clerk
2155 William Kenzo Nakamura
U S Courthouse
1010 Fifth Street
Seattle, WA 98104

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

(See Attached Schedule CTO-2)

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 September 27, 2001. 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(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (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.

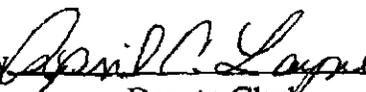
A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel



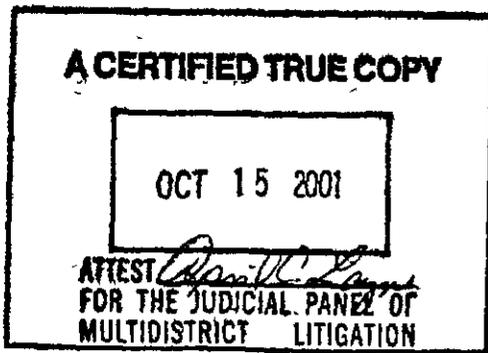
MD 01-1407 -32

By 
Deputy Clerk

Attachments

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

32



JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP 27 2001

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 TRANSFER ORDER (CTO-2)

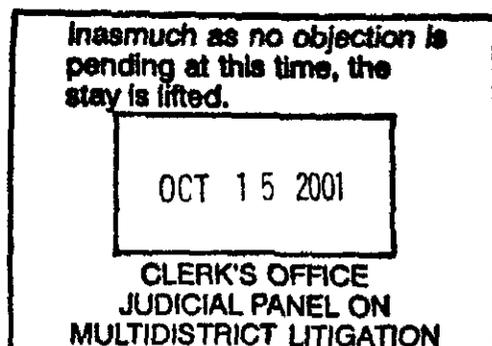
On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U S C §1407. With the consent of that court, all such actions have been assigned to the Honorable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

It appears that the actions listed on the attached schedule 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), the actions listed on the attached schedule are hereby transferred under 28 U S C §1407 to the Western District of Washington for the reasons stated in the order of August 28, 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

**SCHEDULE CTO-2 TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

DISTRICT DIV CIVIL ACTION#

WAW Number

ALABAMA MIDDLE			
ALM	2	01-802	Matthews, etc. v. Bayer Corp., et al.
ALABAMA NORTHERN			
ALN	1	01-2046	Stitt, et al. v. Bristol-Meyers Squibb Co.
ALN	2	01-2101	Middleton, etc. v. Bayer Corp.
ALN	3	01-1294	Bevis, et al. v. GlaxoSmithKline Corp., et al. OPPOSED 10/12/01
ALN	4	01-1405	Jones v. American Home Products Corp., et al.
ALABAMA SOUTHERN			
ALS	1	01-335	Laster, etc. v. Metabolife, Inc., et al. OPPOSED 10/12/01
ALS	2	01-397	Savage v. American Home Products Corp., et al.
FLORIDA MIDDLE			
FLM	8	01-1132	Mochrie, et al. v. SmithKline Beecham Corp.
KENTUCKY WESTERN			
KYW	3	01-366	Nutt, et al. v. Bayer Corp. OPPOSED 10/12/01
LOUISIANA WESTERN			
LAW	1	01-1760	Monk v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	3	01-1761	Gray v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1499	Hill v. Bayer Corp., et al. OPPOSED 10/15/01
LAW	5	01-1629	Bowman v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1630	Baker v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1631	Speed v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1632	Cathoun v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1633	Williams v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1634	Bolton v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1660	Wiley, et al. v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1694	Metcalf v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1695	Wright v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1696	James v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1697	Jackson v. Bayer Corp., et al. OPPOSED 10/11/01
LAW	5	01-1698	Thompson v. Bayer Corp., et al. OPPOSED 10/11/01
MINNESOTA			
MN	0	01-1469	Robertson v. Whitehall-Robins, et al.
MISSISSIPPI NORTHERN			
MSN	1	01-322	Bland v. Bristol-Myers Squibb Co., Inc., et al.
MISSISSIPPI SOUTHERN			
MSS	2	01-242	Davis, et al. v. American Home Products Corp., et al. OPPOSED 10/10/01
MSS	3	01-576	Compton, et al. v. Whitehall-Robins, et al.
MSS	4	01-150	Sanders v. American Home Products Corp., et al.
MSS	5	01-263	Robinson v. Bayer Corp., et al. OPPOSED 10/11/01
MSS	5	01-264	Pottard, etc. v. Bayer Corp., et al. OPPOSED 10/11/01
MSS	5	01-265	Drayton v. Novartis Consumer Health, Inc., et al.
MSS	5	01-266	McQuirter v. Chattem, Inc., et al. OPPOSED 10/11/01
OKLAHOMA WESTERN			
OKW	5	01-1103	Lee v. American Home Products Corp., et al.
PENNSYLVANIA EASTERN			
PAE	2	01-2483	Vogt, et al. v. American Home Products Corp., et al.
TENNESSEE MIDDLE			
TNM	3	01-509	Sims, et al. v. Delaco Co., et al.
TEXAS EASTERN			
TXE	9	01-157	Washington v. American Home Products, Inc., et al.

C01-1692R

C01-1694R

C01-1693R

C01-1695R

C01-1696R

C01-1697R

C01-1698R

C01-1699R

C01-1700R

C01-1701R

C01-1702R

C01-1703R

C01-1704R

C01-1705R

C01-1706R

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

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519 Hugo L Black U S Courthouse
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Hon. Paul W. Greene
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Hon. John Hannah, Jr.
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~~Hon Robert G. James
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INVOLVED CLERKS LIST (CTO-2)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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

BRUCE RIFKIN
CLERK

WILLIAM KENZO NAKAMURA
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SEATTLE, WASHINGTON 98104

October 22, 2001

Thomas C. Caver, Clerk
US District Court
P.O. Box 711
Montgomery, AL 36101-0711

RE: MDL 1407 Phenylpropanolamine (PPA) Products Liability Litigation

Dear Sir:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western 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 action number.

Title of Case	Your Number	WAW Number
1. Matthews etc vs. Bayer Corp	2:01-802	01-1692

Sincerely,

BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 Ext. 2154

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

BRUCE RIFKIN
CLERK

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October 22, 2001

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Birmingham, AL 35203

RE: MDL 1407 Phenylpropanolamine (PPA) Products Liability Litigation

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Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

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

	Title of Case	Your Number	WAW Number
<i>Received 11/1/01</i>	1. Stitt et al vs. Bristol-Meyers Squibb	1:01-204	C01 - 1694
	2. Middleton vs. Bayer Corp	2:02-210	C01 - 1693
	3. Jones vs. American Home Products	4:01-140	C01 - 1695

Sincerely,

BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 Ext. 2154

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

October 22, 2001

Deborah S. Hunt, Clerk
123 US Courthouse
113 St. Joseph St
Mobile, AL 36602-3621

RE: MDL 1407 Phenylpropanolamine (PPA) Products Liability Litigation

Dear Ms. Hunt:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

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

Title of Case	Your Number
1. Savage vs. American Home Corp	2:01-397

WAW Number

CO1-1698

Sincerely,

BRUCE RIFKIN, CLERK

By

Mary Duett, Deputy Clerk
206-553-4080 Ext. 2154

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

October 22, 2001

Richard D. Sletten, Clerk
US Dist Court
611 United States Courthouse
80 North Hughey Ave
Orlando, FL 32801

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western 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 action number.

Title of Case
1. Mochrie vs. Smithkline Beecham

Your Number
8:01-1132

WAW Number

CO1-1697

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

*Remail
11/7/01*

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

October 22, 2001

Francis E. Dosal, Clerk
US District Court
708 Warren E. Burger Federal Bldg
316 North Robert St
St. Paul, MN 55101

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

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Title of Case
1. Robertson vs. Whitehall-Robins

Your Number
0:01-1469

WAW Number
CO1-1698

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

*Received
11/9/01*

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

October 22, 2001

Arlen B. Coyle, Clerk
US District Court
P.O. Box 727
Oxford, MS 38655-0727

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

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Title of Case	Your Number	WAW Number
1. Bland vs. Bristol-Myers Squibb	1:01-322	

CO1-1699

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

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

October 22, 2001

J. T. Noblin, Clerk
US District Court
316 James O. Eastland US Courthouse
245 E. Capitol St
Jackson, MS 39201

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

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Title of Case	Your Number	WAW Number
1. Compton vs. Whitehall-Robins	3:01-576	CO1-1700
2. Sanders vs. American Home	4:01-150	CO1-1701
3. Drayton vs. Novartis Consumer	5:01-265	CO1-1702

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

**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

October 22, 2001

Robert D. Dennis, Clerk
US District Court
1210 United States Courthouse
200 Northwest Fourth St
Oklahoma City, OK 73102-3092

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western 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 action number.

Title of Case	Your Number
1. Lee vs. American Home Products	5:01-1103

WAW Number
CO1-1703

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

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

October 22, 2001

Michael E. Kunz, Clerk
US District Court
2609 US Courthouse
601 Market St
Philadelphia, PA 19106-1796

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

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Title of Case	Your Number	WAW Number
1.Vogt vs. American Home Products	2:01-2483	

CO1-1704

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

**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

October 22, 2001

Roger A. Milam, Clerk
US District Court
800 US Courthouse
801 Broadway
Nashville, TN 37203-3869

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western 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 action number.

Title of Case	Your Number	WAW Number
1. Sims vs. Delaco Co	3:01-509	

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154

001-1705

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

October 22, 2001

David J. Maland, Clerk
US District Court
106 Federal Bldg
211 W. Ferguson St
Tyler, TX 75702

IN RE: MDL 1407 PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

Enclosed is a certified copy of the Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 15, 2001 as to CTO-2 Tag Along Cases. We have assigned an individual Western 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 action number.

Title of Case	Your Number	WAW Number
1. Washington vs. American Home Products, Inc	9:01-157	CO1-1708

Sincerely,
BRUCE RIFKIN, CLERK

By
Mary Duett, Deputy Clerk
206-553-4080 ext 2154