

# 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:

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>

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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 J. Frederick Motz  
United States District Court  
District of Maryland

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

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

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October 30, 2001

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MAIL

Bruce Rifkin  
2155 William Kenzo Nakamura  
U.S. Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104

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

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

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

*Henry Monk v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 1:01-1760  
*Bobby Gray v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 3:01-1761

Dear Mr. Rifkin:

A conditional transfer order was filed in the above-captioned action on September 27, 2001. Prior to the expiration of the automatic fifteen-day stay, and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), opposition to the proposed transfer was filed and the conditional transfer order was stayed until further order of the Panel. A request for withdrawal of the previously-filed opposition to the proposed transfer has been received by this office and an order is being filed lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. §1407. I am enclosing a certified copy of today's order lifting the stay.

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By [Signature]  
Deputy Clerk

Enclosures

cc: Transferee Judge: Hon. Barbara Jacobs Rothstein  
Transferor Judges: Hon. Robert G. James; Hon. F.A. Little, Jr.  
Transferor Clerk: Robert H. Shemwell

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**A CERTIFIED TRUE COPY**

OCT 30 2001

ATTEST *Carol M. Lague*  
FOR THE JUDICIAL PANEL OF  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT 30 2001

FILED  
CLERK'S OFFICE

**DOCKET NO. 1407**

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

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

*Henry Monk v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 1:01-1760

*Bobby Gray v. Bayer Corp., et al.*, W.D. Louisiana, C.A. No. 3:01-1761

***ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER***

A conditional transfer order was filed in these two actions (*Monk* and *Gray*) on September 27, 2001. Prior to expiration of the mandatory fifteen-day stay of execution, plaintiffs in *Monk* and *Gray* filed a notice of opposition to the proposed transfer. Plaintiffs in *Monk* and *Gray* have now advised the Panel that they withdraw their initial opposition to the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-2" filed on September 27, 2001, is LIFTED insofar as it relates to these two actions, and thus the actions are transferred to the Western District of Washington for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. §1407 being conducted by the Honorable Barbara Jacobs Rothstein.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

**INVOLVED COUNSEL LIST (excerpted from CTO-2)**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

Charles P. Blanchard  
Chaffe, McCall, Phillips, Toler & Sarpy  
2300 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163

James B. Irwin  
Irwin, Fritchie, Urquhart & Moore, LLP  
400 Poydras Street  
Suite 2700  
New Orleans, LA 70130

Damon A. Kirin  
Murray Law Firm  
909 Poydras Street  
Suite 2550, LL&E Tower  
New Orleans, LA 70112

Edward J. Rice, Jr.  
Adams & Reese  
4500 One Shell Square  
New Orleans, LA 70139

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

November 6, 2001

Honorable Robert H. Shemwell, Clerk  
US District Court  
1167 United States Courthouse  
300 Fannin Street  
Shreveport, LA 71101-3083

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

Dear Clerk:

Enclosed is a certified copy of the Order Lifting Stay of Conditional Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The Order became effective October 30, 2001. We have assigned an individual Western District of Washington (WAW) case numbers to your cases 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
1. Henry Monk vs. Bayer Corp	1:01-1760	C01 1795
2. Bobby Gray vs. Bayer Corp	3:01-1761	C01 1796

Sincerely,

BRUCE RIFKIN, CLERK

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