

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT 22 2004

FILED  
CLERK'S OFFICE

DOCKET NO. 1407

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

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

*Rose Cooper, et al. v. Novartis Consumer Healthcare, Inc., et al.,*  
W.D. Washington, C.A. No. 2:03-3522\* (S.D. Mississippi, C.A. No. 5:03-178)

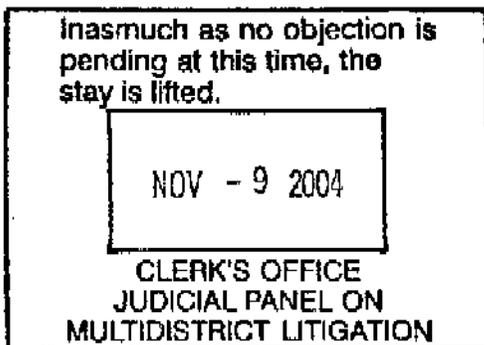
**CONDITIONAL REMAND ORDER**

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

IT IS THEREFORE ORDERED that the above-captioned action be remanded to the United States District Court for the Southern District of Mississippi.

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

\*This case number assigned after severance order was issued in W.D. 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  
Fax: [202] 502-2888

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

November 9, 2004

**NOV 15 2004**

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



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

*Rose Cooper, et al. v. Novartis Consumer Healthcare, Inc., et al.*, W.D. Washington, C. A. No. 2:03-3522\*  
(S.D. Mississippi, C.A. No. 5:03-178)

Dear Mr. Rifkin:

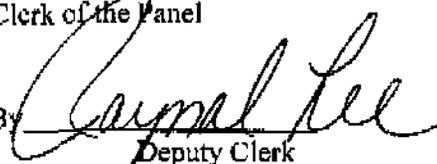
I am enclosing a certified copy and additional copies of a conditional remand order filed on October 22, 2004. The order was entered pursuant to 28 U.S.C. § 1407(a) which provides that "[E]ach action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial 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 opposing remand an opportunity to file such opposition. The fifteen-day period has now elapsed, no opposition has been received, and the order is being sent 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 Clerk: J.T. Noblin