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 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

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

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

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

April 22, 2003

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

Re MDL-1407 – In re Phenylpropanolamine Products Liability Litigation

(See Attached Schedule A of Order)

Dear Mr Rifkin

A conditional transfer order was filed in the actions listed on the attached schedule on March 19, 2003 Prior to the expiration of that order's 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 actions 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 _____
Deputy Clerk

MD 01-01407 500001786

Enclosures

cc Transferee Judge Judge Barbara Jacobs Rothstein
Transferor Judges Judge Harold A Ackerman, Judge William G Bassler, Judge Dickinson R Debevoise, Judge Joseph A Greenaway, Jr , Judge Katharine S Hayden, Judge Joel A Pisano
Transferor Clerk William T Walsh

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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE A)

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the ten actions listed on the attached Schedule A on March 19, 2003 Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in the ten actions filed a notice of opposition to the proposed transfer These plaintiffs 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-27" filed on March 19, 2003, is LIFTED insofar as it relates to the ten actions listed on the attached Schedule A, and thus these 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

SCHEDULE A

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

District of New Jersey

Deborah Gwin v. The Delaco Co , et al , C A. No 2 03-340
Diane Sopala v The Delaco Co , et al , C A No 2 03-341
Janey Hudkins v The Delaco Co , et al , C A No 2 03-343
Lillie Ringer v. The Delaco Co , et al , C.A No 2 03-344
Mary Pierce v Chattem, Inc., et al , C A. No 2.03-346
Antoinette Mellia, et al v The Delaco Co , et al , C A No 2 03-347
Janet S Gregory v. The Delaco Co , et al., C.A No 2 03-348
Suzanne Debrowolsky, et al v. Chattem, Inc , et al , C A No 2 03-349
Pamela Hagen, et al v The Delaco Co , et al , C A No 2 03-350
Betty Jo Kingston v The Delaco Co , et al , C A No 2 03-351

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

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UNITED STATES OF AMERICA
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District of Maryland

Judge Robert L Miller, Jr
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Northern District of Indiana

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

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Re MDL-1407 - In re Phenylpropanolamine Products Liability Litigation

Evone Walker v Eckered Drugs, et al , S D Mississippi, C A No 3 03-183

Dear Mr Rifkin

A conditional transfer order was filed in the above-captioned action on March 19, 2003 Prior to the expiration of that order's fifteen-day stay, opposition to the proposed transfer was filed 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), the conditional transfer order was stayed until further order of the Panel Inasmuch as the opposing party has failed to file the required motion and brief to vacate the conditional transfer order, 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 _____
Deputy Clerk

Enclosures

cc Transferee Judge Judge Barbara Jacobs Rothstein
Transferor Judge Judge William H Barbour, Jr
Transferor Clerk J T Noblin

JPML Form 68

MD 01 01407 *0000178*

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APR 23 2003

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

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Evone Walker v Eckerd Drugs, et al, S D. Mississippi, C A. No 3.03-183

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (*Walker*) on March 19, 2003. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiff in *Walker* filed a notice of opposition to the proposed transfer Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-27" filed on March 19, 2003, is LIFTED insofar as it relates to this action, and thus the action is 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

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

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April 4, 2003

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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
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Seattle, WA 98104-1130

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

(See Attached Schedule CTO-27)

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 March 19, 2003 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(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F R D 425, 435 (2001), transmittal 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

Attachments

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

JPML Form 38

MD 01-1407 #1719

1719

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JUDICIAL PANEL ON
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DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-27)

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 Since that time, 977 additional actions have been transferred to the Western District of Washington With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein

It appears that the actions on this conditional transfer order 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), these actions are transferred under 28 U S C § 1407 to the Western District of Washington for the reasons stated in the 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 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

Inasmuch as no objection is pending at this time, the stay is lifted.

APR - 4 2003

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL

Michael J. Beck

Michael J Beck
Clerk of the Panel

SCHEDULE CTO-27 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT	DIV	CIVIL ACTION#	
COLORADO			
CO	1	03-230	Janet Taylor, et al v Bayer Corp , et al
CO	1	03-259	Vivian Elizabeth Canino v Novartis Consumer Health, Inc , et al
GEORGIA MIDDLE			
GAM	5	02-407	Toney Jones, et al v Perrigo Co
ILLINOIS NORTHERN			
ILN	1	03-1098	Edward Taylor v Bayer Corp , et al
ILN	1	03-1099	Nancy Lange, etc v Bayer Corp , et al
ILLINOIS SOUTHERN			
~~ILS~~	~~3~~	~~02-1283~~	~~Marie Cunningham v Chattem, Inc , et al~~ Opposed 4/1/03
~~ILS~~	~~3~~	~~03-1~~	~~Donald Mennella v Wyeth, Inc , et al~~ Opposed 4/1/03
LOUISIANA EASTERN			
LAE	2	03-98	Amy Elizabeth Triche v American Home Products Corp , et al
LAE	2	03-132	Arthur Cheeks, et al v Bayer Corp , et al
LAE	2	03-270	Harold Bond, et al v Bayer Corp , et al
LOUISIANA MIDDLE			
LAM	3	02-82	Carolyn Schlatre v Apothecon, Inc
LAM	3	03-74	Thelma Brown, et al v Bayer Corp , et al
LOUISIANA WESTERN			
LAW	5	02-2656	Gwendolyn Piper Hudson, et al v Novartis Pharmaceuticals Corp
MINNESOTA			
MN	0	02-4900	Alex Steenkist v Bayer Corp , et al
MISSISSIPPI NORTHERN			
MSN	1	03-82	Linda Delouis Bardwell v Block Drug Co , Inc , et al
~~MSN~~	~~2~~	~~03-40~~	~~George Campbell, et al v Bayer Corp , et al~~ Opposed 4/3/03
~~MSN~~	~~4~~	~~03-73~~	~~Grace McDuffy v Bayer Corp , et al~~ Opposed 4/3/03
MISSISSIPPI SOUTHERN			
MSS	1	02-764	Nancy Lee Montgomery, et al v Rite Aid Corp
MSS	1	03-159	Ronald Douglas Hill, Sr v The Delaco Co , et al
MSS	2	03-43	Leroy Roberts, etc v Bayer Corp , et al
~~MSS~~	~~2~~	~~03-49~~	~~Edgar Eugene Fields v Bayer Corp , et al~~ Opposed 4/3/03
~~MSS~~	~~2~~	~~03-58~~	~~Dianne Keyes, etc v C&C Drugs, et al~~ Opposed 4/2/03
MSS	2	03-62	Gary Elton Folkes v Bayer Corp , et al
~~MSS~~	~~2~~	~~03-73~~	~~Tawnyna Addison, et al v Novartis Pharmaceuticals Corp , et al~~ Opposed 4/3/03
~~MSS~~	~~2~~	~~03-74~~	~~Mattie Kincaid, et al v Bayer Corp , et al~~ Opposed 4/3/03

DISTRICT	DIV	CIVIL ACTION#	
MSS	2	03-76	Emma Dale Parker, etc v Wyeth, et al
~~MSS~~	~~2~~	~~03-79~~	~~Lisa Yolanda Owens, et al v Chattem, Inc , et al~~ Opposed 4/3/03
~~MSS~~	~~2~~	~~03-83~~	~~Earline Thomas, et al v Wyeth, et al~~ Opposed 4/3/03
MSS	3	02-1731	Clinton Johnson v Bayer Corp , et al
~~MSS~~	~~3~~	~~03-25~~	~~Ozell Bailey, et al v Wyeth, et al~~ Opposed 4/3/03
~~MSS~~	~~3~~	~~03-108~~	~~Zola Darby v Novartis Pharmaceuticals Corp , et al~~ Opposed 4/3/03
MSS	3	03-125	Joe Knight, et al v Bayer Corp , et al
MSS	3	03-133	James Brown, Jr v Bayer Corp , et al
~~MSS~~	~~3~~	~~03-134~~	~~Diana Williams, etc v Baker's Pharmacy, et al~~ Opposed 4/3/03
MSS	3	03-135	Gennie Ella Bailey v Bayer Corp , et al
~~MSS~~	~~3~~	~~03-136~~	~~Charlotta M Gardner, etc v Bayer Corp , et al~~ Opposed 4/4/03
MSS	3	03-174	Katherine Lavern Jackson v Bayer Corp , et al
MSS	3	03-180	Lois M Grove v Schering-Plough Corp , et al
~~MSS~~	~~3~~	~~03-183~~	~~Evone Walker v Eckerd Drugs, et al~~ Opposed 4/3/03
MSS	3	03-200	Grace King v Bayer Corp , et al
MSS	3	03-201	Patsy Lynn Gilmer v Novartis Consumer Heallth, Inc , et al
MSS	3	03-208	Laquita Labelle Avery v Wyeth, et al
MSS	3	03-216	John Martin Bass v Bayer Corp , et al
~~MSS~~	~~3~~	~~03-225~~	~~James Gray, et al v Bayer Corp , et al~~ Opposed 4/4/03
MSS	3	03-278	Bo Drax Shandy v Chattem, Inc , et al
~~MSS~~	~~4~~	~~03-58~~	~~Sherry Jones, et al v Bayer Corp , et al~~ Opposed 4/2/03
~~MSS~~	~~4~~	~~03-59~~	~~Kenneth Stevens v Bayer Corp , et al~~ Opposed 4/3/03
~~MSS~~	~~4~~	~~03-87~~	~~Lessie Hales v Chattem, Inc , et al~~ Opposed 4/3/03
MSS	5	02-691	Gwendolyn Thomas, et al v Novartis Consumer Health, Inc , et al
MSS	5	03-9	Helen Barnes v McDaniel Pharmacy, Inc , et al
MSS	5	03-60	Jonetta Williams, etc v Bayer Corp , et al
~~MSS~~	~~5~~	~~03-74~~	~~Elizabeth A Woods v City Drug Store, Inc , et al~~ Opposed 4/1/03
MSS	5	03-81	Kelvin Davis v Bayer Corp , et al
MSS	5	03-85	Elmer Dixon v Bayer Corp , et al
MSS	5	03-86	Jeanette Drain v Bayer Corp , et al

NORTH CAROLINA WESTERN

NCW	5	03-10	Charles McKale, et al v Bayer Corp

NEW JERSEY

NJ	2	02-5135	Roger Decora, et al v Wyeth, et al
NJ	2	02-5246	Frances Ahsmuhs, et al v Wyeth
NJ	2	02-5252	Mark Branson, etc v Wyeth
~~NJ~~	~~2~~	~~02-6057~~	~~Gloria Esguerra, et al v Sidmak Laboratories, Inc , et al~~ Opposed 4/2/03
NJ	2	02-6058	Patricia Davis v Chattem, Inc , et al
~~NJ~~	~~2~~	~~02-6171~~	~~Madeline J Baumgartner v Sidmak Laboratories, Inc , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~02-6172~~	~~Susan H Pettet v Sidmak Laboratories, Inc , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~02-6173~~	~~Cherise Collins v The Delaco Co , et al~~ Vacated 4/4/03
NJ	2	03-120	Raymond Hillard v Bayer Corp
NJ	2	03-299	David Lindsey, etc v Bayer Corp
~~NJ~~	~~2~~	~~03-340~~	~~Deborah Gwin v The Delaco Co , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-341~~	~~Diane Sopala v The Delaco Co , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-342~~	~~Roy Noonberg v The Delaco Co , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-343~~	~~Janey Hudkins v The Delaco Co , et al~~ Opposed 4/4/03

DISTRICT	DIV	CIVIL ACTION#	
~~NJ~~	~~2~~	~~03-344~~	~~Lillie Ringer v The Delaco Co , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-345~~	~~Rachelle Spellman v The Delaco Co , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-346~~	~~Mary Pierce v Chattem, Inc , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-347~~	~~Antoinette Melita, et al v The Delaco Co , et al~~ Opposed 4/04/03
~~NJ~~	~~2~~	~~03-348~~	~~Janet S Gregory v The Delaco Co , et al~~ Opposed 4/4/03
~~NJ~~	~~2~~	~~03-349~~	~~Suzanne Debrowolsky, et al v Chattem, Inc , et al~~ Opposed 4/04/03
~~NJ~~	~~2~~	~~03-350~~	~~Pamela Hagen, et al v The Delaco Co , et al~~ Opposed 4/04/03
~~NJ~~	~~2~~	~~03-351~~	~~Betty Jo Kingston v The Delaco Co , et al~~ Opposed 4/4/03
NJ	2	03-408	Earl Farley, et al v Bayer Corp
NJ	2	03-409	Brian Keith McDaniel v Bayer Corp
~~NJ~~	~~2~~	~~03-679~~	~~Carolyn Davidson v Delaco Co , et al~~ Opposed 4/04/03
NEW YORK EASTERN			
~~NYE~~	~~1~~	~~02-6546~~	~~Stephanie Dodge v Vitaline Corp , et al~~ Opposed 4/04/03
OHIO SOUTHERN			
OHS	1	02-818	Kathern Snyder v Elan Pharmaceuticals, Inc
OHS	2	02-1213	Harold May v The Delaco Co , et al
TENNESSEE MIDDLE			
~~TNM~~	~~3~~	~~03-60~~	~~Sandra Baggett v Dollar General Corp , et al~~ Opposed 3/27/03
TEXAS EASTERN			
TXE	1	03-1	Rodessa Kenebrew v H E Butt Grocery Co , et al
TEXAS NORTHERN			
~~TXN~~	~~3~~	~~03-267~~	~~Evelyn McCann, et al v Advocare International, LLC, et al~~ Opposed 4/03/03
TEXAS SOUTHERN			
TXS	4	03-296	Tyrency Tomesa Clark v Bayer Corp
~~TXS~~	~~4~~	~~03-482~~	~~Tommy Trahan, et al v Advocare International, LLC, et al~~ Opposed 4/3/03
VIRGINIA EASTERN			
~~VAE~~	~~1~~	~~03-60~~	~~Sammy L Poole, et al v Elan Pharmaceuticals, Inc , et al~~ Vacated 3/26/03

INVOLVED COUNSEL LIST (CTO-27)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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

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