

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
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. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
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

MAY 29 2007

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

May 22, 2007

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

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

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

(See Attached CTO-82)

CV7 825BJR

Dear Mr. Rifkin:

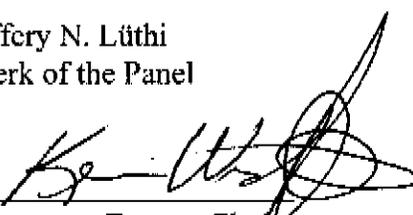
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on May 4, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

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."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Deputy Clerk



07-CV-00825-ORD

Attachment

cc: Transferee Judge: Judge Barbara Jacobs Rothstein
Transferor Judge: Judge David C. Bramlette
Transferor Clerk: J.T. Noblin

A CERTIFIED TRUE COPY

MAY 22 2007

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY - 4 2007

FILED
CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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

Levi Smith, et al. v. Bayer Corp., S.D. Mississippi, C.A. No. 5:07-81

CONDITIONAL TRANSFER ORDER (CTO-82)

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. *See* 173 F.Supp.2d 1377 (J.P.M.L. 2001). Since that time, 1,824 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 action on this conditional transfer order involves questions of fact that 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), this action is 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.

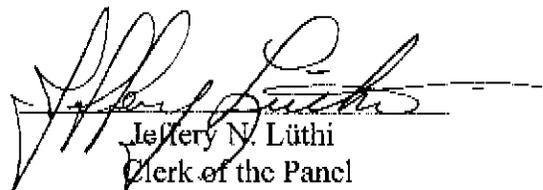
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 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.

MAY 22 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffrey N. Lüthi
Clerk of the Panel

MAY - 4 2007

FILED
CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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

Levi Smith, et al. v. Bayer Corp., S.D. Mississippi, C.A. No. 5:07-81

CONDITIONAL TRANSFER ORDER (CTO-82)

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. *See* 173 F.Supp.2d 1377 (J.P.M.L. 2001). Since that time, 1,824 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 action on this conditional transfer order involves questions of fact that 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), this action is 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 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 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.

MAY 22 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

INVOLVED COUNSEL LIST (CTO-82)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Philip E. Carby
513 State Street
P.O. Box 1047
Natchez, MS 39121

David E. Dukes
Nelson Mullins Riley & Scarborough LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

Douglas A. Hofmann
Williams, Kastner & Gibbs
P.O. Box 21926
601 Union Street, Suite 4100
Seattle, WA 98111-3926

Robert W. Moak
402 Monticello Street
P.O. Box 242
Bogue Chitto, MS 39629-0242

Lance Eugene Palmer
Kraft Palmer Davies, PLLC
720 Third Avenue, Suite 1510
Seattle, WA 98104-1825

Charles F. Preuss
Drinker Biddle & Reath, LLP
50 Fremont Street, 20th Floor
San Francisco, CA 94105-2235

Terry O. Tottenham
Fulbright & Jaworski, L.L.P.
600 Congress Avenue, Suite 2400
Austin, TX 78701-2011

C. Crews Townsend
Miller & Martin
Volunteer Building, Suite 1000
832 Georgia Avenue
Chattanooga, TN 37402

Leigh Davis Vernon
Watkins & Eager
P.O. Box 650
Jackson, MS 39205-0650