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

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

DIRECT REPLY TO:

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December 19, 2002

FILED
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DEC 23 2002

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

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

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

(See Attached Schedule CTO-23)

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 December 3, 2002. 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.

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington
By Valerie Barber
Deputy Clerk

Very truly,

Michael J. Beck
Clerk of the Panel

By Lori A. Layne
Deputy Clerk

Attachments

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

A CERTIFIED TRUE COPY

DEC 19 2002

ATTEST:
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington
By Valerie Barber Deputy Clerk

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DEC - 3 2002

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-23)

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, 673 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.

DEC 19 2002

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-23 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT	DIV.	CIVIL ACTION#	
ALABAMA NORTHERN			
ALN	2	02-2432	Gary Boyd, et al. v. Bayer Corp.
ALN	2	02-2508	Jesse Bandy, et al. v. Bayer Corp., et al.
ALN	2	02-2509	John M. Bruce, Sr. v. Bayer Corp., et al.
ALN	2	02-2550	Roosevelt Harris, et al. v. The Delaco Co., et al.
ALN	2	02-2671	Joyce K. Glover v. Bayer Corp., et al.
ALN	5	02-2270	Richard Nail v. Delaco Co., et al.
ALN	6	02-2359	Sheila Bridgmon, etc. v. Wyeth, Inc., et al.
GEORGIA MIDDLE			
GAM	3	02-109	Eddie James Brown v. Bayer Corp., et al.
GEORGIA NORTHERN			
GAN	1	02-2682	Roy Wiggins, et al. v. Bayer Corp.
LOUISIANA EASTERN			
LAE	2	02-3044	Ricky L. Danby, II, et al. v. Bayer Corp., et al.
LAE	2	02-3334	Dora Saverin, et al. v. Bayer Corp., et al.
LOUISIANA WESTERN			
LAW	5	02-1295	Ellen McCullough, et al. v. American Home Products Corp., et al.
MASSACHUSETTS			
MA	1	02-11858	Cindy Ann Hunter v. Bayer Corp., et al.
MARYLAND			
MD	1	02-323	Joseph L. Peyton v. Perrigo Co., et al.
MD	8	02-3291	Jean M. Smith, et al. v. Procter & Gamble Co., et al.
MINNESOTA			
MN	0	01-2431	Alicia Quezada v. McKesson Corp.
MN	0	02-3680	Jeffrey Leonard v. Chattem, Inc.
MN	0	02-3684	Cheryl Lynn Turner, etc. v. American Home Products Corp.
MN	0	02-3813	Kathy C. Johnson, etc. v. Bayer Corp.
MN	0	02-4091	Mary Lamb v. Bayer Corp.
MN	0	02-4126	Robert B. Harris, Jr., etc. v. American Home Products Corp.
MN	0	02-4128	Barbara Whaley v. Chattem, Inc.
MN	0	02-4152	James R. Martin v. Bayer Corp.
MISSISSIPPI NORTHERN			
MSN	2	02-227	John L. Searcy, et al. v. Bayer Consumer Care Division
~~MSN~~	~~2~~	~~02-260~~	~~Ruby Cunningham v. Bayer Corp., et al.~~ OPPOSED 12/16/02
MSN	4	02-256	James Brisco v. Bayer AG, et al.
MISSISSIPPI SOUTHERN			
~~MSS~~	~~3~~	~~02-1587~~	~~William Huff, etc. v. Chattem, Inc., et al.~~ OPPOSED 12/18/02
MSS	3	02-1650	Lawrence Wren v. Bayer Corp., et al.
MSS	3	02-1651	Earnest Woodard v. Bayer Corp., et al.
MSS	5	02-628	Arthur Council v. Bayer AG, et al.

DISTRICT	DIV.	CIVIL ACTION#	
NEW JERSEY			
NJ	2	02-5134	Sharon Anders v. Novartis Consumer Health, Inc.
NJ	2	02-5136	Melvyn Gossett, et al. v. Novartis Consumer Health, Inc.
NJ	2	02-5138	Karen Hollar, et al. v. Novartis Consumer Health, Inc.
NEW YORK SOUTHERN			
NYS	7	02-7979	Patricia Wood v. Whitehall-Robins
OKLAHOMA NORTHERN			
OKN	4	02-503	Florene Law, et al. v. Zee Medical, Inc., et al.
PENNSYLVANIA EASTERN			
PAE	2	02-7285	Gerald Faut, et al. v. Smithkline Beecham Corp.
SOUTH CAROLINA			
SC	3	02-3044	Carrie Tompkins v. Bristol-Myers, Inc., et al.
TEXAS EASTERN			
TXE	1	02-667	Audrey Bertrand, et al. v. Delaco Co., et al.
TXE	1	02-730	Kathryne A. Colligan, et al. v. Bristol-Myers Squibb Co.
TXE	5	02-242	Bobbie Ray Gentry, et al. v. Bayer Corp., et al.
TEXAS NORTHERN			
TXN	3	02-2359	Amanda Carrisalez, et al. v. Wyeth, et al.
TEXAS SOUTHERN			
TXS	3	02-751	Pamela Griffin, et al. v. Novartis Consumer Health, Inc., et al.
TXS	4	02-3584	Joe Avalos, et al. v. Bayer Corp., et al.
TXS	4	02-3825	Alma Tanner, et al. v. Wyeth, Inc., et al.
TXS	4	02-4023	Charles Michael Brumley, et al. v. Wyeth, et al.
TXS	4	02-4183	Raymond Eugene Foster v. Novartis Consumer Health, Inc., et al.
TXS	7	02-464	Pedro Garza, et al. v. Bayer Corp., et al.
TEXAS WESTERN			
TXW	3	02-500	Maria McClellan, et al. v. Bayer Corp., et al.

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DOCKET NO. 1407
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INVOLVED CLERKS LIST (CTO-23)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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Tony Anastas, Clerk
2300 John Joseph Moakley
U.S. Courthouse
One Courthouse Way
Boston, MA 02210-3002

William G. Putnicki, Clerk
350 U.S. Courthouse
511 East San Antonio Street
El Paso, TX 79901-2401

William T. Walsh, Clerk
Martin Luther King, Jr.
Fed. Bldg. & U.S. Courthouse
50 Walnut Street, 4th Floor
Newark, NJ 07102