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
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Judiciary Building
Room G-255, North Lobby
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http://www.jpml.uscourts.gov

January 14, 2004

FILED
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MAIL
JAN 18 2004
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY

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-39)

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 29, 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

A CERTIFIED TRUE COPY

JAN 14 2004

ATTEST
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DEC 29 2003

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-39)

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, 1,322 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.

FOR THE PANEL:

Michael J. Beck
Clerk of the Panel

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

JAN 14 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-39 - TAG ALONG CASES
*DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT	DIV.	CIVIL ACTION#	
ALABAMA MIDDLE			
ALM	3	03-1069	Brenda Thompson v. The Delaco Co., et al.
CALIFORNIA CENTRAL			
CAC	2	03-6868	Dana Page v. Whitehall-Robbins
LOUISIANA EASTERN			
LAE	2	03-3141	Michael Liuzza v. Delaco Co., et al.
LAE	2	03-3195	Dorothy Nero v. Wyeth Consumer Healthcare, Inc.
LAE	2	03-3196	Judy Norgah v. Wyeth Consumer Healthcare, Inc.
MICHIGAN EASTERN			
MIE	2	03-74129	Lauren J. Baxter v. Delaco Co., et al.
MINNESOTA			
~~MN~~	~~0~~	~~03-6070~~	~~Cynthia Sawyer v. Chattem, Inc., et al.~~ CTO vacated 1/14/04
MISSISSIPPI NORTHERN			
MSN	2	03-339	Earnestine Smith, etc. v. GlaxoSmithKline, PLC, et al.
MSN	2	03-343	David Snyder v. Bayer Corp., et al.
MSN	2	03-344	Shirley Clark v. Bayer Corp., et al.
MISSISSIPPI SOUTHERN			
MSS	1	03-832	Wanda Atkinson v. Delaco Co., et al.
MSS	2	03-541	Evan Price v. Bayer Corp.
MSS	3	03-1172	Earnestine Johnson v. Delaco Co., et al.
MSS	3	03-1215	Tammy F. Witherspoon, etc. v. Wyeth, et al.
MSS	3	03-1219	Judy Manning v. Bayer Corp.
MSS	3	03-1235	John R. Harrell, Sr. v. GlaxoSmithKline, et al.
MSS	3	03-1249	James Earl Lee v. Bayer Corp.
MSS	3	03-1250	C.J. Smith v. Bayer Corp., et al.
MSS	5	03-515	Freddie G. Harris v. Chattem, Inc., et al.
SOUTH CAROLINA			
SC	1	03-3352	Charles Stauff, etc. v. Novartis Consumer Health Inc., et al.
SC	2	03-3508	Bernard Nelson v. Block Drug Co., Inc., et al.
SC	3	03-3247	Peter Jamison v. Mead Johnson & Co., et al.
SC	3	03-3483	Francis Osuji v. Wyeth, et al.
SC	7	03-3293	Jack W. Taylor, Jr. v. GlaxoSmithKline Consumer Healthcare, LP, et al.
TEXAS WESTERN			
TXW	3	03-468	Ramon Cardenas, et al. v. Bayer Corp., et al.
TXW	5	01-1110	Brenda Miller, et al. v. Eckerd Corp., et al.

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DEC 29 2003

FILED
CLERK'S OFFICE

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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-39)

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JAN 14 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-39 - TAG ALONG CASES
DOCKET NO. 1407
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SC	7	03-3293	Jack W. Taylor, Jr. v. GlaxoSmithKline Consumer Healthcare, LP, et al.
TEXAS WESTERN			
TXW	3	03-468	Ramon Cardenas, et al. v. Bayer Corp., et al.
TXW	5	01-1110	Brenda Miller, et al. v. Eckerd Corp., et al.

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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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Hon. Peter Beer
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500 Camp Street
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Hon. David C. Bramlette, III
U.S. District Judge
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725 Martin Luther King, Jr. Blvd.
Biloxi, MS 39530

Hon. David Briones
U.S. District Judge
U.S. Courthouse
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El Paso, TX 79901-2401

Hon. Avern Cohn
Senior U.S. District Judge
219 Theodore Levin U.S. Courthouse
231 West Lafayette Boulevard
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~~Hon. Joan N. Ericksen~~
~~U.S. District Judge~~
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~~316 North Robert Street~~
~~St. Paul, MN 55101~~

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Hon. Mark E. Fuller
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A-300 U.S. Courthouse
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INVOLVED CLERKS LIST (CTO-39)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

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