UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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

MEMBERS:
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United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
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Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
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SEP 02 2003

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

August 27, 2003

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-32)

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 July 30, 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

01-MD-01407-ORD

CERTIFIED TRUE COPY
AUG 27 2003
ATTEST
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

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

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
AUG 11 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-32)

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, 1,154 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.
AUG 27 2003
CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-32 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT	DIV.	CIVIL ACTION#	
FLORIDA NORTHERN			
FLN	3	03-207	Mary Lorraine Pagel, et al. v. Smithkline Beecham Corp., et al.
FLN	3	03-221	John M. O'Brien, et al. v. Smithkline Beecham Corp., et al.
~~FLN~~	~~3~~	~~03-233~~	~~Kirby Davis v. Bayer Corp., et al.~~ Opposed 08/22/03
~~FLN~~	~~3~~	~~03-234~~	~~Evelyn E. Williams v. Bayer Corp., et al.~~ Opposed 08/22/03
~~FLN~~	~~3~~	~~03-235~~	~~Bobby Delaughter, et al. v. Bayer Cop., et al.~~ Opposed 08/22/03
MINNESOTA			
MN	0	03-3279	Benjamin Brooks, et al. v. Smithkline Beecham, et al.
MISSOURI EASTERN			
~~MOE~~	~~4~~	~~03-796~~	~~Timi Siemer, et al. v. Chattem, Inc., et al.~~ Opposed 08/25/03
MISSISSIPPI NORTHERN			
MSN	1	03-233	Marilyn Outlaw v. Novartis Consumer Health, Inc., et al.
MSN	1	03-241	Clarence Brooks v. Bayer Consumer Care, et al.
MISSISSIPPI SOUTHERN			
MSS	3	03-654	Dorothy Wheeler, et al. v. GlaxoSmithKline, LLC, et al.
MSS	3	03-688	Paul Brister v. Bayer Corp., et al.
MSS	3	03-717	Lowell Whittington, et al. v. Novartis Consumer Health, Inc., et al.
MSS	3	03-790	John O. Nelson, Sr., etc. v. Bayer Consumer Care, et al.
MSS	5	03-335	Mary Brooks, et al. v. Bayer Corp., et al.
MSS	5	03-344	Aundrea Marvel v. Bayer Consumer Care, et al.
~~MSS~~	~~5~~	~~03-352~~	~~Jerome Burton, etc. v. Proctor & Gamble Co., et al.~~ Opposed 8/27/03
MSS	5	03-357	Melvin Carter v. Bayer Consumer Care, et al.
NORTH CAROLINA EASTERN			
~~NCE~~	~~4~~	~~03-84~~	~~Marvin E. Spencer, III, et al. v. Duramed Pharmaceuticals, Inc.~~ Vacated 08/18/03
NEBRASKA			
NE	8	03-259	Tanya Rae Moore v. Delaco Co., et al.
NEW JERSEY			
NJ	2	03-253	Brenda Hogue v. Dolgen Corp., et al.
NJ	2	03-2857	David Dobbs v. The Delaco Co., et al.
SOUTH CAROLINA			
SC	3	03-1907	Clarence Brealon v. Bayer Corp., et al.
SC	4	03-1906	Eddie Clyde Corriher, et al. v. Bayer Corp., et al.
SC	9	03-1905	Eugene Coleman, et al. v. Bayer Corp., et al.
TEXAS NORTHERN			
~~TXN~~	~~3~~	~~03-1361~~	~~Jerry Knight v. Advocare International LLC, et al.~~ Opposed 08/26/03

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

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

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