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:

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JAN 12 2004

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

January 6, 2004

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-38)

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 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

01-MD-01407-ORD

A CERTIFIED TRUE COPY
JAN 6 2004
FOR THE JUDICIAL PANEL OF MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DEC 19 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-38)

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, 1,281 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 6 2004
CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-38 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT	DIV.	CIVIL ACTION#	
ARKANSAS WESTERN			
ARW	4	03-4133	Jimmy Lee Dill, et al. v. Novartis Pharmaceuticals Corp., et al.
ARW	4	03-4142	Stephen Nottingham, etc. v. Bayer Corp.
ARW	4	03-4143	Otha Fort, III v. Novartis Pharmaceuticals Corp., et al.
ARW	4	03-4144	Vicky West v. American Home Products Corp., et al.
ARW	4	03-4145	Fern M. Wiles v. Schering-Plough Corp.
ARW	4	03-4146	Doris Cooksie, etc. v. American Home Products Corp., et al.
ARW	4	03-4147	Alton J. McKim, et al. v. The Delaco Co.
ARW	4	03-4148	LaSandra Bean, etc. v. Novartis Pharmaceuticals Corp., et al.
ARW	4	03-4149	Darlene Moka, etc. v. American Home Products Corp., et al.
ARW	4	03-4150	Carroll A. Gilliam v. Block Drug Co., Inc.
CONNECTICUT			
CT	3	03-1739	Lynne Lapensee, et al. v. Whitehall-Robins, et al.
LOUISIANA EASTERN			
LAE	2	03-2888	Ralph Scott v. Bayer Corp., et al.
LAE	2	03-2952	Serena A. Scott v. Pfizer, Inc., et al.
MAINE			
ME	1	03-187	Kelly M. Delano v. Chattem, Inc., et al.
ME	1	03-188	Tina M. Fogg v. Chattem, Inc., et al.
MISSOURI EASTERN			
~~MOE~~	~~4~~	~~03-1494~~	~~Jonell Whitehorn v. Chattem, Inc., et al.~~ Opposed 01/06/04
MISSISSIPPI SOUTHERN			
MSS	1	03-854	Elizabeth Gardner v. Bayer Corp.
MSS	3	03-1190	Linda Archer, etc. v. Bayer Corp.
MSS	3	03-1218	Bernice Marshall v. Wyeth, et al.
MSS	4	03-375	Jessie L. Hayden v. Bristol-Myers Squibb Co., et al.
MSS	4	03-376	Deborah J. Moorhouse v. Block Drug Co., Inc.
MSS	4	03-377	Charles Doug Ellis v. Perrigo Co., et al.
MSS	5	03-501	Elnora Davis v. Delaco Co., et al.
MSS	5	03-513	Sherida Marshall, etc. v. Wyeth, Inc.
MSS	5	03-514	Wanda Thompson v. Chattem, Inc., et al.
MSS	5	03-516	Ben R. Johnson v. Chattem, Inc., et al.
MSS	5	03-517	Mary R. Holloway v. Bayer Corp.
MSS	5	03-518	Mamie Dunmore v. Bayer Corp., et al.
MSS	5	03-519	Annie Dixon, etc. v. Bristol-Myers Squibb Co.
MSS	5	03-521	Juanita Parker v. Delaco Co., et al.
MSS	5	03-522	Clarence Griffin v. Bayer Corp.
MSS	5	03-523	Mary L. Perry v. Bayer Corp., et al.
MSS	5	03-524	Estella Broadway v. Chattem, Inc., et al.
MSS	5	03-525	Thad Leake v. Novartis Pharmaceuticals Corp., et al.

DISTRICT	DIV.	CIVIL ACTION#	
MONTANA			
MT	2	03-49	Darwin C. Miller, etc. v. United Research Laboratories, Inc., et al.
NEW HAMPSHIRE			
NH	1	03-475	Michelle Wessling Wilson v. Teva Pharmaceuticals North America
SOUTH CAROLINA			
SC	2	03-3141	Thelma Jackson v. The Delaco Co.
SC	2	03-3174	Carole Delger v. GlaxoSmithKline Consumer Healthcare, LP, et al.
SC	2	03-3216	Estelle P. Jenkins v. Wyeth, Inc.
SC	3	03-3303	Dennis Frederick Taylor v. Novartis Pharmaceuticals Corp., et al.
SC	3	03-3315	Annie Saxon v. Chattem, Inc., et al.
SC	4	03-3273	Edward Boyd v. GlaxoSmithKline Consumer Healthcare LP., et al.
SC	4	03-3291	Mary Wright v. GlaxoSmithKline Consumer Healthcare LP
SC	4	03-3409	Mary Wright v. Block Drug Co., Inc., et al.
SC	6	03-3292	Sarah Taylor v. GlaxoSmithKline Consumer Healthcare, LP, et al.

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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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