UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **May 31, 2012**

LOCATION OF HEARING SESSION: E. Barrett Prettyman U.S. Courthouse
Ceremonial Courtroom No. 20, 6th Floor
333 Constitution Avenue, N.W.
Washington, D.C. 20001

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) does not need to appear at the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the hearing session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **May 14, 2012.** The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the District of District of Columbia

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on May 31, 2012, the Panel will convene a hearing session in Washington, D.C., to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION:

John G. Heyburn II
Chairman

Kathryn H. Vratil
Barbara S. Jones
Marjorie O. Rendell
W. Royal Furgeson, Jr.
Paul J. Barbadoro
Charles R. Breyer

SCHEDULE OF MATTERS FOR HEARING SESSION
May 31, 2012 -- Washington, D.C.

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT[1]

MDL No. 2348 -- **IN RE: CREST SENSITIVITY TREATMENT & PROTECTION TOOTHPASTE MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Joe Gilbert, et al., for centralization of the following actions in the United States District Court for the Southern District of Ohio:

Northern District of California

Cherish M. Smith v. Procter & Gamble Company, C.A. No. 3:12-00557

District of New Jersey

Edward Rossi v. Procter & Gamble Company, C.A. No. 2:11-07238

Northern District of Ohio

Richard Immerman v. Procter & Gamble Company, C.A. No. 1:12-00068

[1] This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.

MDL No. 2348 (Continued)

Southern District of Ohio

Joe Gilbert, et al. v. Procter & Gamble Company, C.A. No. 1:12-00040

MDL No. 2349 -- **IN RE: INSTRUMENT PANEL CLUSTERS ANTITRUST LITIGATION**

Motion of plaintiffs Tommy Wilson, et al., for centralization of the following actions in the United States District Court for the Eastern District of Michigan:

Eastern District of Michigan

Tommy Wilson, et al. v. Yazaki Corporation, et al., C.A. No. 2:12-10406
Robert Koch v. Yazaki North America, Inc., et al., C.A. No. 2:12-10464
ACAP, L. L. C. v. Yazaki Corporation, et al., C.A. No. 2:12-10567

District of Puerto Rico

Li Diaz v. Yazaki Corporation, et al., C.A. No. 3:12-01076

MDL No. 2350 -- **IN RE: FUEL SENDERS ANTITRUST LITIGATION**

Motion of plaintiffs Calvin Kendrick, et al., for centralization of the following actions in the United States District Court for the Eastern District of Michigan:

Eastern District of Michigan

Calvin Kendrick, et al. v. Yazaki Corporation, et al., C.A. No. 2:12-10407
Robert Koch v. Yazaki North America, Inc., et al., C.A. No. 2:12-10465

MDL No. 2350 (Continued)

District of Puerto Rico

Zahira Crespo v. Yazaki Corporation, et al., C.A. No. 3:12-01075

MDL No. 2351 -- **IN RE: HEATING CONTROL PANELS ANTITRUST LITIGATION**

Motion of plaintiffs Susan LaCava, et al., for centralization of the following actions in the United States District Court for the Eastern District of Michigan:

Eastern District of Michigan

Susan LaCava, et al. v. Denso Corporation, et al., C.A. No. 2:12-10410
Robert Koch v. Denso International America, Inc. et al., C.A. No. 2:12-10466
Jane M. Taylor v. Denso Corporation, et al., C.A. No. 2:12-10476

District of Puerto Rico

Luis Maldonado v. Denso Corporation et al., C.A. No. 3:12-01077

MDL No. 2352 -- **IN RE: CENTURY 21 DEPARTMENT STORES, LLC, FAIR AND ACCURATE CREDIT TRANSACTIONS ACT (FACTA) LITIGATION**

Motion of defendant Century 21 Department Stores, LLC, for centralization of the following actions in the United States District Court for the Southern District of New York:

District of New Jersey

Debora Petrucci v. Century 21 Department Stores, LLC, C.A. No. 2:12-00143

MDL No. 2352 (Continued)

Eastern District of New York

Yaakov Katz v. Century 21 Stores, LLC, et al., C.A. No. 1:12-00244
Nicole Torreblanca v. Century 21 Department Stores, LLC, C.A. No. 1:12-00246

Southern District of New York

Scott Bieber, et al. v. Century 21 Department Stores, LLC, C.A. No. 1:12-00262
William Needham v. Century 21 Department Stores, LLC, C.A. No. 1:12-00449

MDL No. 2353 -- **IN RE: TROPICANA ORANGE JUICE MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Ciro Mateo, et al., and Lauren Wagner Pederson for centralization of the following actions in the United States District Court for the Middle District of Florida:

Middle District of Florida

Ciro Mateo, et al. v. PepsiCo, Inc., et al., C.A. No. 8:12-00073
Lauren Wagner Pederson v. PepsiCo, Inc., et al., C.A. No. 8:12-00104

Southern District of Florida

Angelica Garcia v. PepsiCo, Inc., et al., C.A. No. 1:12-20688

District of New Jersey

Dennis Lynch, et al. v. Tropicana Products, Inc., C.A. No. 2:11-07382

Eastern District of New York

Dezzi Rae Marshall, et al. v. Tropicana Products, Inc., et al., C.A. No. 2:12-00609

MDL No. 2353 (Continued)

Eastern District of Wisconsin

Aleksander Simic v. Tropicana Products, Inc., et al., C.A. No. 2:12-00167

MDL No. 2354 -- **IN RE: MAXIM INTEGRATED PRODUCTS, INC., PATENT LITIGATION**

Motion of Maxim Integrated Products, Inc., for centralization of the following actions in the United States District Court for the Eastern District of Texas:

District of Colorado

Chipotle Mexican Grill, Inc. v. Maxim Integrated Products, Inc., C.A. No. 1:12-00331

District of Kansas

Jack Henry & Associates, Inc. v. Maxim Integrated Products, Inc., C.A. No. 2:12-02018

Eastern District of Pennsylvania

The Vanguard Group, Inc. v. Maxim Integrated Products, Inc., C.A. No. 2:12-00327

Western District of Pennsylvania

The PNC Financial Services Group, Inc., et al. v. Maxim Integrated Products, Inc., C.A. No. 2:12-00089

Eastern District of Texas

Maxim Integrated Products, Inc. v. Starbucks Corporation, C.A. No. 4:12-00005
Maxim Integrated Products, Inc. v. Capital One Financial Corporation, C.A. No. 4:12-00006
Maxim Integrated Products, Inc. v. Expedia, Inc., C.A. No. 4:12-00007

MDL No. 2354 (Continued)

Eastern District of Texas (Continued)

Maxim Integrated Products, Inc. v. Bank of The West, C.A. No. 4:12-00010
Maxim Integrated Products, Inc. v. First United Bank & Trust Co., C.A. No. 4:12-00017
Maxim Integrated Products, Inc. v. Southwest Airlines, Co., C.A. No. 4:12-00104
Maxim Integrated Products, Inc. v. Union Bank, N.A., et al., C.A. No. 4:12-00105
Maxim Integrated Products, Inc. v. QVC, Inc., C.A. No. 4:12-00106
Maxim Integrated Products, Inc. v. Comerica Inc., C.A. No. 4:12-00107
Maxim Integrated Products, Inc v. Groupon Inc., C.A. No. 4:12-00108

MDL No. 2355 -- **IN RE: PARALLEL NETWORKS, LLC, ('111) PATENT LITIGATION**

Motion of defendants NCH Corporation; Fossil, Inc.; Jos. A. Bank Clothiers, Inc.; and Brooks Brothers Group, Inc., for centralization of the following actions in the United States District Court for the Eastern District of Texas:

District of Delaware

Parallel Networks, LLC v. Backstage Web Inc., et al., C.A. No. 1:11-00822

Eastern District of Texas

Parallel Networks, LLC v. Abercrombie & Fitch, Co., et al., C.A. No. 6:10-00111
Parallel Networks, LLC v. Bentley Motors Inc., et al., C.A. No. 6:10-00112
Parallel Networks, LLC v. AEO, Inc., C.A. No. 6:10-00275
Parallel Networks, LLC v. Oriental Trading Company, Inc., C.A. No. 6:10-00474
Parallel Networks, LLC v. Adidas America, Inc., et al., C.A. No. 6:10-00491
Parallel Networks, LLC v. Blockbuster, Inc., C.A. No. 6:10-00506
Parallel Networks, LLC v. Borders Group, Inc., C.A. No. 6:11-00098

MDL No. 2355 (Continued)

Eastern District of Texas (Continued)

Parallel Networks, LLC v. Women's Apparel Group, LLC d/b/a Boston Apparel Group, LLC, C.A. No. 6:11-00422
Parallel Networks, LLC v. Walt Disney Parks and Resorts Online, C.A. No. 6:11-00631
Parallel Networks, LLC v. Abercrombie & Fitch Co., et al., C.A. No. 6:12--00018

MDL No. 2357 -- **IN RE: ZAPPOS.COM, INC., CUSTOMER DATA SECURITY BREACH LITIGATION**

Motion of defendant Zappos.com, Inc., for centralization of the following actions in the United States District Court for the District of Nevada:

Middle District of Florida

Josh Richards v. Amazon.com, Inc., C. A. No. 6:12-00212

Southern District of Florida

Sylvia St. Lawrence v. Zappos.com, Inc., C.A. No. 0:12-60133

Western District of Kentucky

Theresa D. Stevens v. Amazon.com, Inc. C.A. No. 3:12-00032
Stacy Penson v. Amazon.com, Inc., C.A. No. 3:12-00036
Tara J. Elliott, et al. v. Amazon.com, Inc., C.A. No. 3:12-00037

District of Massachusetts

Dahlia Habashy v. Amazon.com, Inc., C.A. No. 1:12-10145

MDL No. 2357 (Continued)

District of Nevada

Stephanie Priera v. Zappos.com, Inc., C.A. No. 2:12-00182
Shari Simon, et al. v. Amazon.com, Inc., C.A. No. 2:12-00232
Robert Ree v. Amazon.com, Inc., dba Zappos.com, C.A. No. 3:12-00072

MDL No. 2358 -- **IN RE: GOOGLE INC. COOKIE PLACEMENT CONSUMER PRIVACY LITIGATION**

Motion of defendant Google, Inc., for centralization of the following actions in the United States District Court for the Northern District of California:

Northern District of California

Lourdes Villegas v. Google, Inc., et al., C.A. No. 5:12-00915

District of Delaware

Matthew Soble v. Google, Inc., C.A. No. 1:12-00200

Southern District of Florida

Keile Allen v. Google, Inc., C.A. No. 1:12-20842

Northern District of Illinois

Karin Kreisman v. Google, Inc., C.A. No. 1:12-01470

District of Kansas

James Henry Rischar v. Google, Inc., et al., C.A. No. 2:12-02100

MDL No. 2358 (Continued)

Northern District of Mississippi

Alex Movitz v. Google, Inc., C.A. No. 3:12-00023

Western District of Missouri

Brian R. Martorana v. Google, Inc., C.A. No. 2:12-00222

District of New Jersey

Ana Yngelmo v. Google, Inc., C.A. No. 2:12-00983

MDL No. 2359 -- **IN RE: HARDIEPLANK FIBER CEMENT SIDING LITIGATION**

Motion of plaintiff Heidi Picht for centralization of the following actions in the United States District Court for the District of Minnesota or, in the alternative, the United States District Court for the Central District of California:

Central District of California

Hugh Fenwick v. James Hardie Building Products, Inc., C.A. No. 8:12-00192
Michael Swiencki v. James Hardie Building Products, Inc., C.A. No. 8:12-00267

Middle District of Florida

The Susan S. Buchanan Personal Residence Trust, et al. v. James Hardee Building Products, Inc., C.A. No. 8:12-00319

District of Minnesota

Heidi Picht v. James Hardie Building Products, Inc., C.A. No. 0:11-00958

MDL No. 2360 -- **IN RE: SCIENCE APPLICATIONS INTERNATIONAL CORP. (SAIC) BACKUP TAPE DATA THEFT LITIGATION**

Motion of defendant Science Applications International Corporation for centralization of the following actions in the United States District Court for the District of District of Columbia, or the United States District Court for the Western District of Texas:

Northern District of California

Ella Deatrick v. Science Applications International Corporation, C.A. No. 3:12-01055

Southern District of California

Mark Losack v. SAIC, Inc., C.A. No. 3:12-00097

District of District of Columbia

Virginia E. Gaffney, et al. v. TRICARE Management Activity, et al., C.A. No. 1:11-01800
Von W. Richardson, et al. v. TRICARE Management Activity, et al., C.A. No. 1:11-01961
James F. Biggerman, Jr. v. TRICARE Management Activity, et al., C.A. No. 1:11-02142
Murry Moskowitz, et al. v. TRICARE Management Activity, et al., C.A. No. 1:11-02283
Jessica Palmer, et al. v. TRICARE Management Activity, et al., C.A. No. 1:12-00008

Western District of Texas

Fernando Arellano v. Science Applications International Corporation, C.A. No. 5:11-00884

MDL No. 2361 -- **IN RE: SIMPLY ORANGE ORANGE JUICE MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiff Philip J. Wieczorek for centralization of the following actions in the United States District Court for the Western District of Missouri:

Northern District of California

Kirk Yee v. Simply Orange Juice Company, et al., C.A. No. 3:12-01170

Western District of Missouri

Philip J. Wieczorek v. The Coca-Cola Company, C.A. No. 4:12-00308

MDL No. 2362 -- **IN RE: OCALA FUNDING, LLC, COMMERCIAL LITIGATION**

Motion of Bank of America, N.A. for centralization of the following actions in the United States District Court for the Southern District of New York:

District of District of Columbia

Bank of America, N.A. v. Federal Deposit Insurance Corporation,
C.A. No. 1:10-01681

Southern District of New York

BNP Paribas Mortgage Corporation v. Bank of America, N.A., C.A. No. 1:09-09783
Deutsche Bank AG v. Bank of America, N.A., C.A. No. 1:09-09784
Natixis Financial Products, Inc. v. Bank of America, N.A., C.A. No. 1:10-03656

MDL No. 2363 -- **IN RE: BULK MAILING TO COUNTY JAIL INMATES IN THE STATE OF WASHINGTON**

Motion, as amended, of defendant Kevin Hanson for centralization of the following actions in the United States District Court for the Eastern District of Washington:

Eastern District of Washington

Crime, Justice & America, Inc., et al. v. Doug Barger, et al., C.A. No. 2:12-00112
Crime, Justice & America, Inc., et al. v. G. Ken Bancroft, et al., C.A. No. 2:12-00113
Crime, Justice & America, Inc., et al. v. Brian Burnett, et al., C.A. No. 2:12-00114
Crime, Justice & America, Inc., et al. v. Frank T. Rogers, et al., C.A. No. 2:12-00115
Crime, Justice & America, Inc., et al. v. Wage Magers, et al., C.A. No. 2:12-00116
Crime, Justice & America, Inc., et al. v. Brett Myers, et al., C.A. No. 2:12-00117
Crime, Justice & America, Inc., et al. v. Tom Jones, et al., C.A. No. 2:12-00118
Crime, Justice & America, Inc., et al. v. Gene Dana, et al., C.A. No. 2:12-03016
Crime, Justice & America, Inc., et al. v. Rick McComas, et al., C.A. No. 2:12-03018
Crime, Justice & America, Inc., et al. v. Ken Irwin, et al., C.A. No. 2:12-03019
Crime, Justice & America, Inc., et al. v. Steve Keane, et al , C.A. No. 2:12-05020
Crime, Justice & America, Inc., et al. v. Richard Lathim, et al., C.A. No. 2:12-05021
Crime, Justice & America, Inc., et al. v. John Turner, et al., C.A. No. 2:12-05022

Western District of Washington

Crime, Justice & America, Inc., et al. v. John Lovick, C.A. No. 2:12-00294
Crime, Justice & America, Inc., et al. v. Bill Benedict, et al., C.A. No. 3:12-05143
Crime, Justice & America, Inc., et al. v. Cassey Salisbury, et al., C.A. No. 3:12-05144
Crime, Justice & America, Inc, et al. v. Tony Hernandez, et al.,C.A. No. 3:12-05145
Crime, Justice & America, Inc., et al. v. Steve Mansfield, et al., C.A. No. 3:12-05146

MDL No. 2364 -- **IN RE: NEBIVOLOL ('040) PATENT LITIGATION**

Motion of plaintiffs Forest Laboratories Inc., et al., for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

Forest Laboratories Inc., et al. v. Torrent Pharmaceuticals Ltd., et al.,
C.A. No. 1:12-00305

Northern District of Illinois

Forest Laboratories, Inc,. et al. v. Indchemie Health Specialties Pvt. Ltd., et al.,
C.A. No. 1:12-01855

MDL No. 2366 -- **IN RE: LOUISIANA-PACIFIC CORPORATION TRIMBOARD SIDING MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Gwen Hart, et al., for centralization of the following actions in the United States District Court for the Eastern District of North Carolina:

Middle District of Florida

Doug A. Prevett v. Louisiana-Pacific Corporation, C.A. No. 6:12-00348

Southern District of Iowa

Alan Todd Brown v. Louisiana-Pacific Corporation, C.A. No. 4:12-00102

Western District of New York

Bristol Village, Inc. v. Louisiana-Pacific Corporation, et al., C.A. No.1:12-00263

Eastern District of North Carolina

Gwen Hart, et al. v. Louisiana-Pacific Corporation, C.A. No. 2:08-00047

MDL No. 2366 (Continued)

Western District of North Carolina

Bianca Ellis, et al. v. Louisiana-Pacific Corporation, C.A. No. 3:11-00191

Northern District of Ohio

Jason Holbrook v. Louisiana-Pacific Corporation, et al., C.A. No. 3:12-00484

MDL No. 2367 -- **IN RE: WESTLAW AND LEXISNEXIS LEGAL WORKS COPYRIGHT LITIGATION**

Motion of plaintiff David J. Heinlein for centralization of the following actions in the United States District Court for the District of Connecticut:

District of Connecticut

David J. Henlein v. West Publishing Corporation, C.A. No. 3:12-00386

Southern District of New York

Edward L. White, et al. v. West Publishing Corporation, et al., C.A. No. 1:12-01340

MDL No. 2368 -- **IN RE: MORTGAGE INDUSTRY HOME AFFORDABLE MODIFICATION PROGRAM (HAMP) CONTRACT LITIGATION**

Motion of plaintiffs Tom Casault, et al., for centralization of the following actions in the United States District Court for the District of Massachusetts:

Central District of California

Tom Casault, et al. v. Federal National Mortgage Association, et al.,
C.A. No. 2:11-10520

District of Massachusetts

Heang Ouch, et al. v. Federal National Mortgage Association, et al.,
C.A. No. 1:11-12090

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 875 -- **IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)**

Opposition of plaintiffs Milton Fordham, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Southern District of New York

Milton Fordham, et al. v. Asbeka Industries of New York, Inc., et al.,
C.A. No. 1:12-01145

Oppositions of defendants SSA Gulf, Inc., and Carrier Corporation to remand, under 28 U.S.C. § 1407(a), of their respective following actions to their respective transferor courts:

Eastern District of Pennsylvania

Arthur J. Porter, et al. v. Greater Baton Rouge Port Commission, C.A. No. 2:11-67283
(M.D. Louisiana, C.A. No. 3:11-00166)
James Allan Brown, et al. v. Kaiser Gypsum Company, Inc., et al., C.A. No. 2:11-60063
(W.D. Washington, C.A. No. 3:10-05873)

MDL No. 1507 -- **IN RE: PREMPRO PRODUCTS LIABILITY LITIGATION**

Oppositions of defendants Wyeth; Wyeth Ayerst International, Inc.; Wyeth Ayerst Pharmaceuticals, Inc.; Wyeth, Inc.; Wyeth Laboratories, Inc.; Wyeth Pharmaceuticals; Wyeth Pharmaceuticals, Inc.; and Bristol Myers Squibb Company to remand, under 28 U.S.C. § 1407(a), of their respective following actions to their respective transferor courts:

Eastern District of Arkansas

Richard C. Hargis,, et al. v. Wyeth Inc, et al., C.A. No. 4:04-01618 (N.D. Alabama, C.A. No. 2:04-01505)
Jean Ann Bell v. Wyeth Pharmaceutical, et al., C.A. No. 4:04-01983 (N.D. Alabama, C.A. No. 6:04-01898)
Emma G. Blankenship v. Wyeth Pharmaceutical, et al., C.A. No. 4:04-01987 (N.D. Alabama, C.A. No. 6:04-01902)
Judith Dean Driver v. Wyeth Pharmaceutical, et al., C.A. No. 4:04-02026 (N.D. Alabama, C.A. No. 6:04-01941)
Gwendolyn Ann Knight v. Wyeth Pharmaceutical, Inc., et al., C.A. No. 4:04-02100 (N.D. Alabama, C.A. No. 6:04-02015)
Rebecca Leps v. Wyeth Pharmaceutical, et al., C.A. No. 4:04-02105 (N.D. Alabama, C.A. No. 6:04-02020)
Thelma Barbour, et al. v. Wyeth, Inc., et al., C.A. No. 4:04-01123 (C.D. California, C.A. No. 2:04-04742)
Lela Campbell v. Wyeth, Inc., et al., C.A. No. 4:05-00524 (C.D. California, C.A. No. 2:04-08944)
Myra F. Grisso, et al. v. Pharmacia & Upjohn, et al., C.A. No. 4:04-01002 (N.D. California, C.A. No. 3:04-02170)
Annette Langer v. Wyeth, Inc., et al., C.A. No. 4:06-00055 (N.D. California, C.A. No. 4:05-01214)
Joan Tremblay, et al. v. Wyeth, et al., C.A. No. 4:06-00176 (M.D. Florida, C.A. No. 2:05-00519)
Gary Nelson, et al. v. Wyeth, et al., C.A. No. 4:06-00743 (M.D. Florida, C.A. No. 2:06-00129)
Concetta Olin v. Wyeth, et al., C.A. No. 4:05-01914 (S.D. Florida, C.A. No. 9:05-80841)
Darlene Gage v. Wyeth, et al., C.A. No. 4:04-02283 (N.D. Illinois, C.A. No. 1:04-06135)
Ann Jewer, et al. v. Wyeth, et al., C.A. No. 4:05-01367 (D. Maryland, C.A. No. 1:05-01778)

MDL No. 1507 (Continued)

Eastern District of Arkansas (Continued)

Pauline S. Ryan, et al. v. Wyeth Pharmaceutical, et al., C.A. No. 4:04-01072 (D. Minnesota, C.A. No. 0:04-03137)
Toni Davenport, et al. v. Wyeth, et al., C.A. No. 4:04-01150 (D. Minnesota, C.A. No. 0:04-03364)
Dorothy Schweikl, et al. v. Wyeth, et al., C.A. No. 4:04-01194 (D. Minnesota, C.A. No. 0:04-03381)
Rosario Taja, et al. v. Wyeth, et al., C.A. No. 4:04-01439 (D. Minnesota, C.A. No. 0:04-03382)
Leah Camille Perona v. Wyeth, et al., C.A. No. 4:04-01433 (D. Minnesota, C.A. No. 0:04-03390)
Morene Baker v. Wyeth, et al., C.A. No. 4:04-01293 (D. Minnesota, C.A. No. 0:04-03534)
Mamie McLean v. Wyeth, et al., C.A. No. 4:04-01296 (D. Minnesota, C.A. No. 0:04-03535)
Marcia Galinsky v. Wyeth, et al., C.A. No. 4:05-00504 (D. Minnesota, C.A. No. 0:04-05059)
Gloria Youngwerth, et al. v. Wyeth, et al., C.A. No. 4:05-00502 (D. Minnesota, C.A. No. 0:04-05060)
Norene Whitehead v. Wyeth, et al., C.A. No. 4:04-01415 (S.D. Mississippi, C.A. No. 1:04-00706)
Doris L. Honeywell, et al. v. Wyeth, Inc., et al., C.A. No. 4:05-00034 (N.D. Ohio, C.A. No. 1:04-02013)
Elizabeth Weber v. Wyeth, et al., C.A. No. 4:04-01420 (E.D. Texas, C.A. No. 1:04-00429)
Sara Safar, et al. v. Wyeth, et al., C.A. No. 4:04-01231 (E.D. Texas, C.A. No. 4:04-00234)
Katherine Carey v. Wyeth, et al., C.A. No. 4:04-01396 (E.D. Texas, C.A. No. 6:04-00308)
Sara James v. Wyeth, et al., C.A. No. 4:04-01000 (N.D. Texas, C.A. No. 2:04-00165)
Maria Garcia v. Wyeth, et al., C.A. No. 4:04-01512 (S.D. Texas, C.A. No. 3:04-00450)
Patsy Struve v. Wyeth, et al., C.A. No. 4:04-01494 (S.D. Texas, C.A. No. 3:04-00453)
Wynonia Margarite Peek, et al. v. Wyeth, Inc., et al., C.A. No. 4:04-00260 (S.D. Texas, C.A. No. 4:03-03302)

MDL No. 1507 (Continued)

Eastern District of Arkansas (Continued)

Deloris Wiede, et al. v. Wyeth, Inc., et al., C.A. No. 4:04-00195 (S.D. Texas, C.A. No. 4:03-04495)
Gail Franczak v. Wyeth, et al., C.A. No. 4:04-01356 (W.D. Texas, C.A. No. 1:04-00424)
Mava Lou McCumbers, et al. v. Wyeth, et al., C.A. No. 4:04-01260 (S.D. West Virginia, C.A. No. 2:04-00691)
Anna Skeens v. Wyeth, et al., C.A. No. 4:04-01283 (S.D. West Virginia, C.A. No. 3:04-00693)

MDL No. 1535 -- **IN RE: WELDING FUME PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Janice M. Emerson for remand, pursuant to 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Western District of Missouri:

Northern District of Ohio

Janice M. Emerson v. Lincoln Electric Holdings, Inc., C.A. No. 1:09-17066 (W.D. Missouri, C.A. No. 5:09-06004)

MDL No. 1626 -- **IN RE: ACCUTANE (ISOTRETINOIN) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Jessica Nelson to transfer of the following action to the United States District Court for the Middle District of Florida:

Northern District of Alabama

Jessica Nelson v. Barr Laboratories, Inc., et al., C.A. No. 5:12-00749

MDL No. 1688 -- **IN RE: PFIZER INC. SECURITIES, DERIVATIVE & "ERISA" LITIGATION**

Opposition of plaintiffs Ramon E. Cancel-Morales, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

District of Puerto Rico

Ramon E. Cancel-Morales, et al. v. Pfizer, Inc., et al., C.A. No. 3:12-01050

MDL No. 1742 -- **IN RE: ORTHO EVRA PRODUCTS LIABILITY LITIGATION**

Motion of defendants Johnson & Johnson; Janssen Pharmaceutical, Inc.; and Janssen Research & Development, LLC, to transfer the following actions to the United States District Court for the Northern District of Ohio:

District of Colorado

Nicole Lynn Johnson Archuleta v. Johnson & Johnson, et al., C.A. No. 1:12-00226

Western District of Tennessee

Tiffani Brown v. Janssen Pharmaceuticals, Inc., et al., C.A. No. 2:11-03062

MDL No. 1789 -- **IN RE: FOSAMAX PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiff Drussie Johnson and defendants Hoffmann-La Roche, Inc., and Roche Laboratories, Inc., to Conditional Transfer Order (CTO-102) and Simultaneous Separation and Remand Certain Claims with respect to:

Southern District of Mississippi

Drussie Johnson v. Genentech, Inc., et al., C.A. No. 3:11-00181

MDL No. 1842 -- **IN RE: KUGEL MESH HERNIA PATCH PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Rebecca May to transfer of the following action to the United States District Court for the District of Rhode Island:

Southern District of Ohio

Rebecca May v. C.R. Bard, Inc., et al., C.A. No. 2:11-01059

MDL No. 1871 -- **IN RE: AVANDIA MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Greg Bowerman to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Arkansas

Greg Bowerman v. GlaxoSmithKline, LLC, et al., C.A. No. 4:12-00156

MDL No. 2031 -- **IN RE: DAIRY FARMERS OF AMERICA, INC., CHEESE ANTITRUST LITIGATION**

Opposition of plaintiff Courtney Asmann to transfer of the following action to the United States District Court for the Northern District of Illinois:

District of Kansas

Courtney Asmann v. Dairy Farmers of America, Inc., et al., C.A. No. 6:12-01060

MDL No. 2036 -- **IN RE: CHECKING ACCOUNT OVERDRAFT LITIGATION**

Opposition of defendant TD Bank, N.A., to transfer of the following action to the United States District Court for the Southern District of Florida:

District of New Jersey

Christopher Hughes, et al. v. TD Bank, N.A., C.A. No. 1:11-07257

MDL No. 2087 -- **IN RE: HYDROXYCUT MARKETING AND SALES PRACTICES LITIGATION**

Opposition of plaintiff Shirley Clark LaBlanche to transfer of the following action to the United States District Court for the Southern District of California:

Southern District of Texas

Shirley Clark LaBlanche v. Iovate Health Sciences USA, Inc., et al.,
C.A. No. 4:11-04503

MDL No. 2099 -- **IN RE: STANFORD ENTITIES SECURITIES LITIGATION**

Oppositions of plaintiffs Cesar Garza, et al.; Miguel Green, et al.; Juan F. Martin, et al.; Michael Gale, et al.; Consuelo Ibarra, et al.; and Pam Reed, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Southern District of Texas

Cesar Garza, et al. v. Proskauer Rose, LLP, et al., C.A. No. 4:12-00274
Miguel Green, et al. v. Proskauer Rose, LLP, et al., C.A. No. 4:12-00276
Juan F. Martin, et al. v. Proskauer Rose, LLP, et al., C.A. No. 4:12-00280

Western District of Texas

Michael Gale, et al. v. Proskauer Rose, LLP, et al., C.A. No. 5:12-00079
Consuelo Ibarra, et al. v. Proskauer Rose LLP, et al., C.A. No. 5:12-00082
Pam Reed, et al. v. Proskauer Rose LLP, et al., C.A. No. 5:12-00088

MDL No. 2138 -- **IN RE: BANK OF AMERICA WAGE AND HOUR EMPLOYMENT PRACTICES LITIGATION**

Opposition of plaintiff Avashaye Gidden to transfer of the following action to the United States District Court for the District of Kansas:

Southern District of Florida

Avashaye Gidden v. Bank of America Corporation, et al., C.A. No. 0:12-60294

MDL No. 2179 -- **IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN THE GULF OF MEXICO, ON APRIL 20, 2010**

Opposition of plaintiffs Bayhaven Enterprises, LLC, et al.; 121 Duval Company, et al.; and Joseph Yerkes, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Southern District of Florida

Bayhaven Enterprises, LLC, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 4:12-10017
121 Duval Company, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 4:12-10018
Joseph Yerkes, et al. v. BP Exploration & Production, Inc., et al., C.A. No. 4:12-10019

MDL No. 2226 -- **IN RE: DARVOCET, DARVON AND PROPOXYPHENE PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Wendell Rice, et al.; Tenessia Posey; and Henry Witthauer, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Kentucky:

Northern District of California

Henry Witthauer, et al. v. McKesson Corporation, C.A. No. 3:12-00343
Wendell Rice, et al. v. McKesson Corporation, et al., C.A. No. 3:12-00344
Tenessia Posey v. McKesson Corporation, C.A. No. 3:12-00346

MDL No. 2231 -- **IN RE: LEAD CONTAMINATED FRUIT JUICE PRODUCTS MARKETING AND SALES PRACTICES LITIGATION**

Motion of defendants Walgreen Co., and Wal-Mart Stores, Inc., to transfer the following actions to the United States District Court for the District of Massachusetts:

Northern District of California

Randy Boysen v. Walgreen Co., C.A. No. 4:11-06262

Eastern District of Texas

Liduvina Curtis v. Wal-Mart Stores, Inc., C.A. No. 5:11-00213

MDL No. 2244 -- **IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs William E. Dickinson, et al., and Dennis Robinson to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Northern District of California

William E. Dickinson, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 3:12-01199

Western District of Virginia

Dennis Robinson v. DePuy Orthopaedics, Inc., et al., C.A. No. 3:12-00003

MDL No. 2261 -- **IN RE: JIFFY LUBE INTERNATIONAL, INC., TEXT SPAM LITIGATION**

Opposition of plaintiff Jacob Barr to transfer of the following action to the United States District Court for the Southern District of California:

Western District of Washington

Jacob Barr v. Oil Express, Inc., et al., C.A. No. 2:12-00237

MDL No. 2272 -- **IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY LITIGATION**

Oppositions of defendants Zimmer, Inc.; Zimmer Holdings, Inc.; Zimmer Surgical, Inc., f/k/a Zimmer Orthopaedic Surgical Products, Inc.; Zimmer Production, Inc.; and Zimmer US, Inc., to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

District of Minnesota

Sheila Madsen v. Zimmer, Inc., et al., C.A. No. 0:12-00481

Western District of Missouri

Gene Wernette, et al. v. Zimmer, Inc., et al., C.A. No. 6:12-03109

MDL No. 2290 -- **IN RE: JPMORGAN CHASE MORTGAGE MODIFICATION LITIGATION**

Opposition of defendants JPMorgan Chase & Co.; JPMorgan Chase Bank, N.A.; Chase Home Finance LLC; EMC Mortgage LLC; and the Bear Stearns Company, LLC to transfer of the following action to the United States District Court for the District of Massachusetts:

District of Minnesota

Nao Cha Yang, et al. v. Chase Home Finance LLC, et al., C.A. No. 0:11-03380

MDL No. 2295 -- **IN RE: PORTFOLIO RECOVERY ASSOCIATES, LLC, TELEPHONE CONSUMER PROTECTION ACT LITIGATION**

Opposition of plaintiffs Kenneth McCormick, et al., to transfer of the following action to the United States District Court for the Southern District of California:

Middle District of Tennessee

Kenneth McCormick, et al. v. Portfolio Recovery Associates, LLC, C.A. No. 3:11-01097

MDL No. 2296 -- **IN RE: TRIBUNE COMPANY FRAUDULENT CONVEYANCE LITIGATION**

Opposition of plaintiffs EGI-TRB LLC, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of Illinois

EGI-TRB LLC, et al. v. ABN AMRO Clearing Chicago LLC, et al., C.A. No. 1:12-01315

MDL No. 2299 -- **IN RE: ACTOS (PIOGLITAZONE) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs John Buchanan and Greg Bowerman to transfer of their respective following actions to the United States District Court for the Western District of Louisiana:

Northern District of Alabama

John Buchanan v. Takeda Pharmaceuticals North America Inc., et al.,
C.A. No. 5:12-00498

Eastern District of Arkansas

Greg Bowerman v. Takeda Pharmaceuticals USA Inc., et al., C.A. No. 4:12-00160

MDL No. 2325 -- **IN RE: AMERICAN MEDICAL SYSTEMS, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Mary F. Miller, et al., and Carolyn Moon to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Eastern District of Missouri

Mary F. Miller, et al. v. Mid-County Urology, Inc., et al., C.A. No. 4:11-02064

Southern District of Texas

Carolyn Moon v. C.R. Bard, Inc., et al., C.A. No. 3:12-00016

MDL No. 2327 -- **IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Alicia Malcolm and Cheryl Poole, et al., and defendants Freeman Health Systems and Todd Richards, M.D. to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Western District of Missouri

Alicia Malcolm v. Boston Scientific Corporation, et al., C.A. No. 3:12-05017

Southern District of Texas

Cheryl Poole, et al. v. Ethicon, Inc., et al., C.A. No. 4:12-00339

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard" and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.

(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

FIRST AMENDMENT TO THE HEARING SESSION ORDER AND ATTACHED SCHEDULE FILED APRIL 17, 2012

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the Judicial Panel on Multidistrict Litigation on April 17, 2012, are amended to include the following matter on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on May 31, 2012, in Washington, DC.

MDL No. 2270 - **IN RE: CERTAINTEED FIBER CEMENT SIDING LITIGATION**

Motion of defendant Lakewood Homes, LLC, for reconsideration of the Panel's April 16, 2012, order which transferred the following action to the Eastern District of Pennsylvania.

Western District of Arkansas

Ann Hocutt, et al. v. CertainTeed Corporation, et al., C.A. No. 5:12-05010

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

SECOND AMENDMENT TO THE HEARING SESSION ORDER AND ATTACHED SCHEDULE FILED APRIL 17, 2012

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the Judicial Panel on Multidistrict Litigation on April 17, 2012, are amended to include the following matter on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on May 31, 2012, in Washington, DC.

MDL No. 875 - **IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)**

Opposition of defendant Pneumo Abex, LLC, to remand, under 28 U.S.C. § 1407(a), of the following action to its respective transferor court:

Easterm District of Pennsylvania

Hazelwood, et al. V A.W. Chesterton Company, et al., C.A. No. 2:12-60129
(N.D. California, C.A. 3:12-1313)

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel