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: **July 26, 2012**

LOCATION OF HEARING SESSION: Carl B. Stokes U.S. Courthouse
Ceremonial Courtroom
801 West Superior Avenue
Cleveland, Ohio 44113

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 **July 9, 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 Northern District of Ohio

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 July 26, 2012, the Panel will convene a hearing session in Cleveland, Ohio, 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
July 26, 2012 -- Cleveland, Ohio

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT[1]

MDL No. 2369 - **IN RE: BALLY TOTAL FITNESS HOLDING CORP. LIFETIME MEMBERSHIP AGREEMENT CONTRACT LITIGATION**

Motion of plaintiffs Eugene Fridman, et al., and Jennifer Grabianski, et al., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Central District of California

Eugene Fridman, et al. v. Bally Total Fitness Holding Corporation, et al.,
C.A. No. 2:12-00707

Northern District of Illinois

Jennifer Grabianski, et al. v. Bally Total Fitness Holding Corporation, et al.,
C.A. No. 1:12-00284

Eastern District of Pennsylvania

Blaise Tobia, et al. v. Bally Total Fitness Holding Corporation, et al.,
C.A. No. 2:12-01198

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[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. 2370 - **IN RE: PRESCRIPTION DRUG CO-PAY SUBSIDY ANTITRUST LITIGATION**

Motion of plaintiff New England Carpenters Health and Welfare Fund to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

New England Carpenters Health and Welfare Fund v. Abbott Laboratories, C.A. No. 1:12-01662

District of New Jersey

Plumbers and Pipefitters Local 572 Health and Welfare Fund v. Novartis Pharmaceuticals Corp., C.A. No. 2:12-01403
Plumbers and Pipefitters Local 572 Health and Welfare Fund v. Merck & Co., Inc., C.A. No. 3:12-01379

Southern District of New York

American Federation of State County and Municipal Employees District Council 37 Health & Security Plan, et al. v. Amgen, Inc., et al., C.A. No. 1:12-02237
American Federation of State County and Municipal Employees District Council 37 Health & Security Plan et al. v. Bristol-Myers Squibb Co. et al., C.A. No. 1:12-02238

Eastern District of Pennsylvania

New England Carpenters Health and Welfare Fund v. GlaxoSmithKline LLC, C.A. No. 2:12-01191
New England Carpenters Health and Welfare Fund v. AstraZeneca, Inc., C.A. No. 2:12-01192

MDL No. 2371 - **IN RE: UNIFIED MESSAGING SOLUTIONS LLC PATENT LITIGATION**

Motion of defendant Time Warner Cable, Inc., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

Unified Messaging Solutions, LLC v. Careerbuilder, LLC, C.A. No. 1:12-01486
Unified Messaging Solutions, LLC v. Discover Financial Services, C.A. No. 1:12-01487
Unified Messaging Solutions, LLC v. Groupon, Inc., C.A. No. 1:12-01488
Unified Messaging Solutions, LLC v. Orbitz, LLC, C.A. No. 1:12-01489
Unified Messaging Solutions, LLC v. Southwest Airlines Co., C.A. No. 1:12-01490
Unified Messaging Solutions, LLC v. UBS Financial Services, Inc., C.A. No. 1:12-01491
Unified Messaging Solutions, LLC v. United Air Lines, Inc., C.A. No. 1:12-01492
Unified Messaging Solutions, LLC v. Walgreen Co., C.A. No. 1:12-01493
Unified Messaging Solutions, LLC v. Northern Illinois Gas Company, C.A. No. 1:12-01494

Eastern District of Missouri

Unified Messaging Solutions, LLC v. Ameren Corporation, C.A. No. 4:12-00367
Unified Messaging Solutions, LLC v. Commerce Bancshares, Inc., C.A. No. 4:12-00368
Unified Messaging Solutions, LLC v. Laclede Gas Company, C.A. No. 4:12-00369
Unified Messaging Solutions, LLC v. Scottrade, Inc. , C.A. No. 4:12-00370
Unified Messaging Solutions, LLC v. Sprint Nextel Corporation, C.A. No. 4:12-00371

Eastern District of Texas

Unified Messaging Solutions, LLC v. Facebook, Inc. et al., C.A. No. 6:11-00120
Unified Messaging Solutions, LLC v. Google, Inc., et al., C.A. No. 6:11-00464
Unified Messaging Solutions, LLC v. American Airlines, Inc., C.A. No. 6:11-00653
Unified Messaging Solutions, LLC v. Intuit Inc., et al., C.A. No. 6:12-00085

MDL No. 2372 - **IN RE: WATSON FENTANYL PATCH PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs to transfer the following actions to the United States District Court for the Northern District of Illinois:

District of Arizona

Amanda Osinga, et al. v. Watson Pharmaceuticals Inc., et al., C.A. No. 4:10-00115
Ernest Taraborelli, et al. v. Watson Pharmaceuticals Inc., et al., C.A. No. 4:11-00121
Linda Vaughn, et al. v. Watson Pharmaceuticals Inc., et al., C.A. No. 4:11-00407

Middle District of Florida

Leonard Maxim v. Watson Pharmaceuticals, Inc., et al., C.A. No. 3:10-01154

Southern District of Florida

Marjorie Schrager v. Watson Pharmaceuticals, Inc., et al., C.A. No. 9:10-80370

Northern District of Illinois

Mary Fraley v. Watson Laboratories, Inc., et al., C.A. No. 1:10-05725
Debra Acree v. Watson Pharmaceuticals Inc., et al., C.A. No. 1:10-07812

Eastern District of Kentucky

Jeffrey King, et al. v. Watson Pharmaceuticals, Inc., C.A. No. 2:09-00179

District of Maryland

Arthur Drager, et al. v. Watson Pharmaceuticals, Inc., et al., C.A. No. 8:12-00337

Western District of Missouri

Gayle Wadsworth v. Watson Pharmaceuticals, Inc. et al., C.A. No. 4:11-00053
Rejeania Moore, et al. v. Watson Pharmeceuticals, Inc., et al., C.A. No.5:11-06090

MDL No. 2372 (Continued)

Southern District of New York

Kathryn Orwig-Reihl, et al. v. Watson Pharmaceuticals, Inc., et al.,
C.A. No. 1:10-08869

District of North Dakota

Brian Gaschk, et al. v. Watson Pharmaceuticals, Inc., et al., C.A. No. 2:11-00024

Southern District of Ohio

Louis Borowicz v. Watson Pharmaceuticals, Inc., et al., C.A. No. 2:11-01161

Northern District of Oklahoma

Melissa Downing, et al. v. Watson Pharmaceuticals, Inc., et al., C.A. No. 4:10-00120

Western District of Oklahoma

Sharon Dennis, et al. v. Watson Pharmaceuticals, Inc., et al., C.A. No. 5:11-00118
Monica Bowers, et al. v. Watson Pharmaceuticals, Inc., et al., C.A.. No. 5:12-00274

Eastern District of Tennessee

Karen Guthrie v. Watson Pharmaceuticals, Inc., et al., C.A. No. 1:11-00109

Middle District of Tennessee

Kazin Mohammed v. Watson Pharmaceuticals, Inc., et al., C.A. No. 3:10-00179
Timothy Tonole v. Watson Pharmaceuticals, Inc., et al., C.A. No. 2:10-02187

MDL No. 2372 (Continued)

Western District of Washington

Timothy Rondeau, et al. v. Watson Laboratories, Inc., et al., C.A. No. 2:11-01714
Joseph LaDuca v. Watson Pharmaceuticals, Inc., et al., C.A. No. 2:11-01999

MDL No. 2374 - **IN RE: HONEY PRODUCTION MARKETING AND SALES PRACTICES LITIGATION**

Motion, as amended, of plaintiff David Goldblatt to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

Bertha Cardona v. Target Corporation, et al., C.A. No. 2:12-01148

Northern District of California

Gregory Brod v. Sioux Honey Association, Cooperative, C.A. No. 3:12-01322
Soraya Ross v. Sioux Honey Association, Cooperative, C.A. No. 3:12-01645

Southern District of Florida

Sheri Bowers v. Sioux Honey Association, Cooperative, C.A. No. 1:12-21034
Reyna Guerrero v. Target Corporation, C.A. No. 1:12-21115
Belen Paugh v. Walgreen Company, C.A. No. 1:12-21229
Belen Paugh v. Aldi Inc., C.A. No. 1:12-21283
Elaine Levy, et al. v. Wal-Mart Stores, Inc., C.A. No. 1:12-21607
David Goldblatt v. Sioux Honey Association, Cooperative, C.A. No. 9:12-80362

MDL No. 2375 - **IN RE: BODY SCIENCE LLC PATENT LITIGATION**

Motion of plaintiff Body Science LLC to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of California

Body Science LLC v. Boston Scientific Corporation, et al., C.A. No. 3:12-01490

Northern District of Illinois

Body Science LLC v. Boston Scientific Corporation, et al., C.A. No. 1:11-03619

District of Massachusetts

Body Science LLC v. Philips Electronics North America Corporation, C.A. No. 1:12-10536

District of Minnesota

Body Science LLC v. Boston Scientific Corporation, et al., C.A. No. 0:12-00734

Eastern District of New York

Body Science LLC v. Polar Electro Inc., C.A. No. 2:12-01478

MDL No. 2376 - **IN RE: GENETIC TECHNOLOGIES LIMITED ('179) PATENT LITIGATION**

Motion of plaintiff Genetic Technologies Limited to transfer the following actions to the United States District Court for the District of Colorado:

Northern District of California

Genetic Technologies Limited v. Agilent Technologies, Inc., C.A. No. 3:12-01616

MDL No. 2376 (Continued)

District of Connecticut

Genetic Technologies Limited v. 454 Life Sciences Corporation, C.A. No. 3:12-00461

District of Delaware

Genetic Technologies Limited v. Bristol-Myers Squibb Company, C.A. No. 1:12-00394
Genetic Technologies Limited v. Pfizer, Inc., C.A. No. 1:12-00395
Genetic Technologies Limited v. Merial L.L.C., C.A. No. 1:12-00396

Middle District of North Carolina

Genetic Technologies Limited v. GlaxoSmithKline LLC, C.A. No. 1:12-00299

MDL No. 2377 - **IN RE: SELECT RETRIEVAL, LLC, ('617) PATENT LITIGATION**

Motion of defendants Ann Inc.; AutoZone, Inc.; Bluefly, Inc.; Brown Shoe Company, Inc.; Build.com, Inc.; Charming Shoppes, Inc.; Chico's FAS, Inc.; Chico's Retail Services, Inc.; Dillard's, Inc.; GameStop Corp.; Guitar Center, Inc.; Ice.com, Inc.; Kohl's Department Stores, Inc.; Luxi Group, LLC; Music 123, Inc.; Musician's Friend, Inc.; Pacific Sunwear of California, Inc.; Patagonia, Inc.; Payless ShoeSource, Inc.; ShoppersChoice.com, LLC; SkyMall, Inc.; Sonic Electronix, Inc.; and West Marine Products, Inc., to transfer the following actions to the United States District Court for the Western District of Wisconsin:

Southern District of California

Select Retrieval, LLC v. American Apparel, LLC, et al., C.A. No. 3:11-02158

District of Delaware

Select Retrieval, LLC v. Amerimark Direct, LLC, et al., C.A. No. 1:11-00812

MDL No. 2377 (Continued)

Middle District of Florida

Select Retrieval, LLC v. Aqua Superstore, Inc., et al., C.A. No. 6:11-01348

Northern District of Georgia

Select Retrieval, LLC v. Benchmark Brands, Inc., C.A. No. 1:12-00358

Northern District of Illinois

Select Retrieval, LLC v. ABT Electronics, Inc., et al., C.A. No. 1:11-03752

District of Maine

Select Retrieval, LLC v. LL Bean, Inc., C.A. No. 2:12-00003

District of Massachusetts

Select Retrieval, LLC. v. Bulbs.com, Inc., C.A. No. 4:12-10389

District of Oregon

Select Retrieval, LLC v. Altrec, Inc., et al., C.A. No. 3:11-01104

Northern District of Texas

Select Retrieval, LLC v. Blinds, Inc., et al., C.A. No. 3:11-01166

Western District of Wisconsin

Select Retrieval, LLC v. Alice.com, Inc., et al., C.A. No. 3:11-00637

MDL No. 2378 - **IN RE: PARK WEST GALLERIES, INC., LITIGATION**

Motion of defendants Theresa Franks and Global Fine Art Registry, LLC to transfer the following actions to the United States District Court for the Central District of California:

Cental District of California

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 2:12-03203

Southern District of Florida

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 1:12-21282

Northern District of Illinois

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 1:12-02674

District of Massachusetts

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 1:12-10588

Eastern District of Missouri

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 4:12-00683

District of Nevada

Park West Galleries, Inc. v. Theresa Franks et al., C.A. No. 2:12-00540

District of New Jersey

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 2:12-02219

Southern District of New York

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 1:12-03007

MDL No. 2378 (Continued)

Eastern District of North Carolina

Park West Galleries, Inc. v. Theresa Franks, et al., C.A. No. 5:12-00194

Northern District of Ohio

Park West Galleries, Inc. v. Theresa Franks, et al., C.A, No. 5:12-00856

District of South Carolina

Park West Galleries Inc. v. Theresa Franks, et al., C.A. No. 7:12-01007

MDL No. 2380 - **IN RE: SHOP-VAC MARKETING AND SALES PRACTICES LITIGATION**

Motion, as amended, of defendant Shop-Vac Corporation to transfer the following actions to the United States District Court for the Middle District of Pennsylvania:

District of New Jersey

Alan McMichael v. Shop-Vac Corporation, C.A. No. 2:12-00726
Andrew Harbut v. Shop-Vac Corporation, C.A. No. 2:12-01474
Clay Scott, et al. v. Shop-Vac Corporation, et al., C.A. No. 2:12-02504

Eastern District of New York

Igor Selizhuk v. Shop-Vac Corporation, C.A. No. 2:12-02575

Middle District of Pennsylvania

Emanuele DiMare v. Shop-Vac Corporation, C.A. No. 4:12-01019
Deborah Blaylock v. Shop-Vac Corporation, C.A. No. 4:12-01020

MDL No. 2381 - **IN RE: INTUITIVE SURGICAL, INC., DA VINCI ROBOTIC SURGICAL SYSTEM PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Patricia Mayfield, et al., for centralization of the following actions in the United States District Court for the Southern District of Mississippi or, alternatively, the United States District Court for the Northern District of California:

Northern District of Alabama

Gwendolyn Jones, et al. v. Intuitive Surgical, Inc., C.A. No. 7:12-01082

Eastern District of Louisiana

Jennifer Silvestrini v. Intuitive Surgical, Inc., et al., C.A. No. 2:11-02704

Southern District of Mississippi

Patricia Mayfield, et al. v. Intuitive Surgical, Inc., C.A. No. 4:12-00072

Southern District of New York

Gilmore McCalla v. Intuitive Surgical, Inc., C.A. No. 1:12-02597

MDL No. 2382 - **IN RE: EMERSON ELECTRIC CO. WET/DRY VAC MARKETING AND SALES PRACTICES LITIGATION**

Motion, as amended, of defendant Emerson Electric Company to transfer the following actions to the United States District Court for the Eastern District of Missouri:

Southern District of Illinois

Justin Swires v. Emerson Electric Company, C.A. No. 3:12-00658

Eastern District of Missouri

Jeff Hale v. Emerson Electric Company, C.A. No. 4:12-00574
Raymond Gray, et al. v. Emerson Electric Company, C.A. No. 4:12-00586
Andrew Bowers v. Emerson Electric Company, C.A. No. 4:12-00687
Emilio Gonzales, et al. v. Sears Holdings Corporation, et al., C.A. No. 4:12-00951

MDL No. 2383 - **IN RE: GEORGE CLINTON JUDGMENT ENFORCEMENT LITIGATION**

Motion of George Clinton to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

Hendricks & Lewis PLLC v. George Clinton, C.A. No. 2:10-09921

Northern District of Florida

Hendricks & Lewis PLLC v. George Clinton, C.A. No. 4:10-mc-00055

Eastern District of Michigan

In re Certification of Judgment 10-0253 Western District of Washington, et al. v. George Clinton, C.A. No. 2:10-mc-50923

Western District of Washington

George Clinton v. Hendricks & Lewis PLLC, et al., C.A. No. 2:11-01142
Hendricks & Lewis PLLC v. George Clinton, et al., C.A. No. 2:11-mc-00027
Hendricks & Lewis PLLC v. George Clinton, C.A. No. 2:11-00841
Hendricks & Lewis PLLC v. George Clinton, C.A. No. 2:12-00884

MDL No. 2384 - **IN RE: SWISHER HYGIENE, INC., SECURITIES AND DERIVATIVE LITIGATION**

Motion of defendants Swisher Hygiene, Inc.; Steven R. Berrard; and Michael J. Kipp to transfer the following actions to the United States District Court for the Western District of North Carolina:

Southern District of New York

Bruce James v. Swisher Hygiene, Inc., et al., C.A. No. 1:12-02406
Clarence Arsenault, et al. v. Steven R. Berrard, et al., C.A. No. 1:12-04028

MDL No. 2384 (Continued)

Western District of North Carolina

Norman Russell v. Swisher Hygiene, Inc., et al., C.A. No. 3:12-00216
Michael C. Birch, et al. v. Swisher Hygiene, Inc., et al., C.A. No. 3:12-00221
Michael B. Cohen v. Swisher Hygiene, Inc., et al., C.A. No. 3:12-00256
Timothy J. Falk v. Swisher Hygiene, Inc., et al., C.A. No. 3:12-00330

MDL No. 2385 - **IN RE: PRADAXA PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Vera Lee Sellers to transfer the following actions to the United States District Court for the Southern District of Illinois:

District of Connecticut

John Thomas Wilchinski v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00599

Southern District of Florida

Edward L. Hole v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:12-61004

Southern District of Illinois

Jacqueline Boston v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00610
Carole Richardson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00611
Paul Garner v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00612
Richard Herbeck, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00613
Frank Fitzgibbons, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00614
Vera Lee Sellers v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00615

MDL No. 2385 (Continued)

Southern District of Illinois (Continued)

Eva Smith v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00616
Robert Stout v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 3:12-00617

Eastern District of Kentucky

David J. Smiley, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 5:12-00167
Helen Jean Hawkins, et al. vs. Boehringer Ingelheim Pharmaceuticals, Inc.,
C.A. No. 6:12-00045
Janet Cornelius, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 6:12-00064

Western District of Kentucky

Donald Ray Pawley, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc. et al.,
C.A. No. 3:12-00131

Eastern District of Louisiana

Thelma Hawthorne v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 2:12-01203

Western District of Louisiana

Garland James Lege, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 6:12-00572

Western District of Oklahoma

Jerald R. Radcliff, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 5:12-00266

MDL No. 2385 (Continued)

Eastern District of Tennessee

Bertha Bivens v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 3:12-00103
Edward Stair, Jr. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 3:12-00116

Middle District of Tennessee

Amanda Scott, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 3:12-00480

Western District of Tennessee

Marlene Wright, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 2:12-02262

MDL No. 2386 - **IN RE: UBS AG OFFSHORE ACCOUNT LITIGATION**

Motion of defendant UBS AG to transfer the following actions to a single United States district court:

Eastern District of California

Nadia Roberts, et al. v. UBS AG, et al., C.A. No. 1:12-00724

Northern District of Illinois

Matthew Thomas, et al. v. UBS AG, C.A. No. 1:11-04798

Western District of Pennsylvania

Riwal P. Le Bars, et al. v. UBS AG, C.A. No. 2:12-00424

MDL No. 2387 - **IN RE: COLOPLAST CORP. PELVIC SUPPORT SYSTEMS PRODUCTS LIABILITY LITIGATION**

Motion of defendant Coloplast Corp. to transfer the following actions to the United States District Court for the Southern District of West Virginia:

Middle District of Florida

Denise D'Agaro Jacobs, et al. v. Mentor Corporation, et al., C.A. No. 8:10-02429
Rhonda Lariscy, et al. v. Mentor Worldwide, LLC, C.A. No. 8:11-02377
Mary Joe White, et al. v. Coloplast Corporation, C.A. No. 8:12-00061

Northern District of Illinois

Gladys Marrero, et al. v. Mentor Worldwide, LLC, et al., C.A, No. 1:12-01829
Martha Gustafson, et al. v. Coloplast, Inc., et al., C.A. No. 1:12-03292

Southern District of Illinois

Ann M. Williams, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 3:12-00321

District of Kansas

Patricia Purvis v. Mentor Worldwide, LLC, et al., C.A. No. 2:12-02212

Eastern District of Missouri

Lois Wolz, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00698

Western District of Missouri

Melissa M. Renaud, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00465
Mildred C. Watts, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00466
Alvonia B. Fisher, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00467

MDL No. 2387 (Continued)

Western District of Oklahoma

Connie Waldrop, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 5:12-00532

Eastern District of Pennsylvania

June C. Hess v. Mentor Worldwide, LLC, et al., C.A. No. 2:12-01919

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

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

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

Southern District of New York

Patricia Coach v. Armstrong International Inc., et al., C.A. No. 1:12-03611

Opposition of defendant The Procter & Gamble Paper Products Company to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for Eastern District of Wisconsin:

Eastern District of Pennsylvania

Beverly Anderson v. AW Chesterton Company, et al., C.A. No. 2:11-63482
(E.D. Wisconsin, C.A. No. 1:11-00061)

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

Opposition of defendants Wyeth and Pfizer, Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for Western District of Arkansas:

Eastern District of Arkansas

Anne Fisher v. Wyeth, et al., C.A. No. 4:07-00109 (W.D. Arkansas,
C.A. No. 2:07-02001)

MDL No. 1603 - **IN RE: OXYCONTIN ANTITRUST LITIGATION**

Opposition of defendants Varam, Inc., and KVK-Tech, Inc., to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of Pennsylvania

Purdue Pharma, L.P. et al. v. Varam, Inc., et al., C.A. No. 2:12-01898

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

Oppositions of plaintiffs Hannah R. Scroggins and Gaby Aranda, et al., to transfer of their respective following actions to the United States District Court for the Middle District of Florida:

Northern District of California

Hannah R. Scroggins v. Hoffman-La Roche, Inc., et al., C.A. No. 3:12-02615

Southern District of Illinois

Gaby Aranda, et al. v. Walgreen Co., et al., C.A. No. 3:12-00337

MDL No. 1935 - **IN RE: CHOCOLATE CONFECTIONARY ANTITRUST LITIGATION**

Opposition of plaintiff Associated Wholesale Grocers, Inc., to transfer of the following action to the United States District Court for the Middle District of Pennsylvania:

District of Kansas

Associated Wholesale Grocers, Inc. v. Cadbury Adams Canada, Inc., et al., C.A. No. 2:12-02209

MDL No. 1958 - **IN RE: ZURN PEX PLUMBING PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs John Pupuhi Baker, Jr., et al., and defendant Castle & Cooke Homes Hawaii, Inc., to transfer of the following action to the United States District Court for the District of Minnesota:

District of Hawaii

John Pupuhi Baker, Jr., et al. v. Castle & Cooke Homes Hawaii, Inc., et al., C.A. No. 1:11-00616

MDL No. 1960 - **IN RE: PUERTO RICAN CABOTAGE ANTITRUST LITIGATION**

Opposition of plaintiffs Arrowpac Incorporated., et al.; Kraft Foods Group Inc., et al.; Walgreen, Co., et al.; Home Depot USA, Inc.; and Kimberly-Clark Corp., to transfer of their respective following actions to the United States District Court for the District of Puerto Rico:

District of South Carolina

Arrowpac Incorporated., et al. v. Sea Star Line, LLC, et al., C.A. No. 2:12-01008
Kraft Foods Group Inc, et al. v. Sea Star Line, LLC, et al., C.A. No. 2:12-01018
Walgreen, Co., et al. v. Sea Star Line, LLC, et al., C.A. No. 2:12-01029
Home Depot USA, Inc. v. Sea Star Line, LLC, et al., C.A. No. 2:12-01045
Kimberly-Clark Corp. v. Sea Star Line, LLC, et al., C.A. No. 2:12-01046

MDL No. 1964 - **IN RE: NUVARING PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Byra Marble, et al., to transfer of the following action to the United States District Court for the Eastern District of Missouri:

Northern District of California

Byra Marble, et al. v. Organon USA, Inc., et al., C.A. No. 3:12-02213

MDL No. 2004 - **IN RE: MENTOR CORP. OBTAPE TRANSOBTURATOR SLING PRODUCTS LIABILITY LITIGATION**

Oppositions of defendants Mentor Worldwide, LLC and Coloplast Corp. to transfer of the following actions to the United States District Court for the Middle District of Georgia:

Western District of Missouri

Melissa Renaud, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00465
Mildred C. Watts, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00466
Alvonia B. Fisher, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00467

Motion of plaintiffs Rhonda Lariscy, et al.; Gladys Marrero, et al.; Ann M. Williams, et al.; Patricia Purvis; Lois Wolz et al.; Melissa Renaud, et al.; Mildred C. Watts, et al.; Alvonia B. Fisher, et al.; and June C. Hess to expand the scope of the MDL and to transfer the following actions to the United States District Court for the Middle District of Georgia:

Middle District of Florida

Denise Jean D'Agaro Jacobs, et al. v. Mentor Corporation, et al., C.A. No. 8:10-02429
Rhonda Lariscy, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 8:11-2377
Mary Joe White, et al. v. Coloplast Corporation, C.A. No. 8:12-00061

Northern District of Illinois

Gladys Marrero, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 1:12-01829
Martha Gustafson, et al. v. Coloplast, Inc., et al., C.A. No. 1:12-03292

Southern District of Illinois

Ann M. Williams, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 3:12-00321

District of Kansas

Patricia Purvis v. Mentor Worldwide, LLC, et al., C.A. No. 2:12-02212

MDL No. 2004 (Continued)

Eastern District of Missouri

Lois Wolz, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00698

Western District of Missouri

Melissa Renaud, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00465
Mildred C. Watts, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00466
Alvonia P. Fisher, et al. v. Mentor Worldwide, LLC, et al., C.A. No. 4:12-00467

Eastern District of Pennsylvania

June C. Hess v. Mentor Worldwide, LLC, et al., C.A. No. 2:12-01919

Southern District of West Virginia

Barbara Lucas, et al. v. Ethicon, Inc., et al., C.A. No. 2:12-00515
Laurie Forbes v. Boston Scientific Corporation, et al., C.A. No. 2:12-00792
Dolores Garcia v. C.R. Bard, Inc., et al., C.A. No. 2:12-00964

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

Oppositions of plaintiff Richard Green and defendants Synovus Bank; Regions Financial Corporation; and SunTrust Bank to transfer of their respective following actions to the United States District Court for the Southern District of Florida:

Middle District of Georgia

Richard Green v. Synovus Bank, C.A. No. 4:12-00027

Northern District of Georgia

Imani House, LLC, et al. v. Regions Financial Corporation, C.A. No. 1:12-00270

MDL No. 2036 (Continued)

Western District of Tennessee

Todd Byrd v. SunTrust Bank, C.A. No. 2:12-02314

MDL No. 2048 - **IN RE: COX ENTERPRISES, INC., SET-TOP CABLE TELEVISION BOX ANTITRUST LITIGATION**

Motion of defendant Cox Communications, Inc., to transfer the following action to the United States District Court for the Western District of Oklahoma:

Northern District of Ohio

Todd Keitlen v. Cox Communications, Inc., C.A. No. 1:12-01188

MDL No. 2092 - **IN RE: CHANTIX (VARENICLINE) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Leela Gosein to transfer of the following action to the United States District Court for the Northern District of Alabama:

Southern District of Florida

Leela Gosein v. Publix Super Markets, Inc., et al., C.A. No. 1:12-21861

MDL No. 2109 - **IN RE: PLASMA-DERIVATIVE PROTEIN THERAPIES ANTITRUST LITIGATION**

Opposition of defendants CSL Limited; CSL Behring LLC; CSL Plasma; Baxter International, Inc.; and Plasma Protein Therapeutics Association to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Northern District of California:

Northern District of Illinois

County of San Mateo v. CSL Limited, et al., C.A. No. 1:11-1468 (N.D. California, C.A. No. 4:10-05686)

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 William Kibby and Sergio Valdivieso to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Southern District of Texas

William Kibby v. BP Products North America Inc., et al., C.A. No. 3:12-00102
Sergio Valdivieso v. Southern Cat, Inc., et al., C.A. No. 4:12-01018

Motions of defendants BP Exploration & Production Inc., and BP America Production Company, Inc., to transfer their respective following actions to the United States District Court for the Eastern District of Louisiana:

Middle District of Florida

Joseph F. Kaminski v. BP Exploration & Production Inc., et al., C.A. No. 8:12-00826

Southern District of Texas

Robert Young, et al. v. BP Exploration & Production Inc., et al., C.A. No. 4:12-00989

MDL No. 2185 - **IN RE: BP P.L.C. SECURITIES LITIGATION**

Oppositions of plaintiffs Ohio Public Employees Retirement System, et al., and State of Oregon, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Northern District of Ohio

Ohio Public Employees Retirement System, et al. v. BP America, Inc., et al., C.A. No. 1:12-01291

District of Oregon

State of Oregon, et al. v. BP America, Inc., et al., C.A. No. 3:12-00910

MDL No. 2197 - **IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs David Billings, et al., and Rick Gardner, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

District of Maryland

David Billings, et al. v. Chesapeake Surgical, Ltd., et al., C.A. No. 8:12-00879

Southern District of Texas

Rick Gardner, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 3:12-00130

MDL No. 2243 - **IN RE: FOSAMAX (ALENDRONATE SODIUM) PRODUCTS LIABILITY LITIGATION (NO. II)**

Opposition of plaintiffs Martha Haslam, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Southern District of Florida

Martha Haslam, et al. v. Merck Sharp & Dohme Corp., et al., C.A. No. 0:12-60918

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

Oppositions of plaintiffs Harold Yeoman, et al.; Paul L. McCurley, et al.; William Waite; Nona Driver, et al.; Susan Brewer, et al.; and Mary L. Yearwood, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Central District of California

Harold Yeoman, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:12-02571
Paul L. McCurley, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:12-02989
William Waite v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:12-03022
Nona Driver, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:12-04072

Northern District of California

Susan Brewer, et al. v. Deputy Orthopaedics, Inc., et al., C.A. No. 3:12-01473

District of Maryland

Mary L. Yearwood, et al. v. Johnson & Johnson, Inc., et al., C.A. No. 1:12-01374

MDL No. 2265 - **IN RE: COUNTRYWIDE FINANCIAL CORP. MORTGAGE-BACKED SECURITIES LITIGATION**

Opposition of plaintiff Federal Deposit Insurance Corporation, as Receiver for Security Savings Bank, to transfer of the following actions to the United States District Court for the Central District of California:

District of Nevada

Federal Deposit Insurance Corporation, as Receiver for Security Savings Bank v. Banc of America Securities LLC, et al., C.A. No. 2:12-00532
Federal Deposit Insurance Corporation, as Receiver for Security Savings Bank v. Countrywide Financial Corporation, et al., C.A. No. 2:12-00534

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

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

Western District of Missouri

Charles Griffey v. Zimmer, Inc., et al., C.A. No. 4:12-00494

Eastern District of Pennsylvania

William Colbert, et al. v. Zimmer, Inc., et al., C.A. No. 2:12-01335

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

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

Middle District of Florida

David Bauer v. Portfolio Recovery Associates, LLC, C.A. No. 8:12-01133

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

Oppositions of defendants Citigroup Global Markets Inc., and Merrill Lynch, Pierce, Fenner & Smith Inc. to transfer of the following action to the United States District Court for the Southern District of New York:

District of Delaware

The Official Committee of Unsecured Creditors of the Tribune Co. v. Citigroup Global Markets, Inc., et al., Adv. Bky. No. 1:12-50446

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

Opposition of plaintiffs William J. Ward, et al., to transfer of the following action to the United States District Court for the Western District of Louisiana:

Southern District of Indiana

Ovida H. Ward, et al. v. Eli Lilly and Company, et al., C.A. No. 1:12-00513

MDL No. 2323 - **IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION**

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

Northern District of Illinois

Tregg Duerson v. National Football League, Inc., et al., C.A. No. 1:12-02513

MDL No. 2329 - **IN RE: WRIGHT MEDICAL TECHNOLOGY, INC., CONSERVE HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Mary Bond to transfer of the following action to the United States District Court for the Northern District of Georgia:

Southern District of Illinois

Mary Bond v. Wright Medical Technology, Inc., et al., C.A. No. 3:12-00597

MDL No. 2332 - **IN RE: LIPITOR ANTITRUST LITIGATION**

Opposition of plaintiffs RP Healthcare, Inc., et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Northern District of California

RP Healthcare, Inc., et al. v. Pfizer, Inc., et al., C.A. No. 3:12-01059

MDL No. 2333 - **IN RE: MI WINDOWS AND DOORS, INC., PRODUCTS LIABILITY LITIGATION**

Opposition of defendant MI Windows and Doors, Inc., to transfer of the following actions to the United States District Court for the District of South Carolina:

Northern District of Illinois

Daniel Kennedy v. MI Windows and Doors, Inc., C.A. No. 1:12-01757

Eastern District of Michigan

David Deem v. MI Windows and Doors, Inc., C.A. No. 5:12-10452

Eastern District of Pennsylvania

Janna Walsh v. MI Windows and Doors, Inc., C.A. No. 2:11-07562

MDL No. 2343 - **IN RE: SKELAXIN (METAXALONE) ANTITRUST LITIGATION**

Opposition of defendants/third party plaintiffs Spiridon Spireas, Ph.D., and Hygrosol Pharmaceutical Corp., to transfer of the following action to the United States District Court for the Eastern District of Tennessee:

Eastern District of Pennsylvania

Mutual Pharmaceutical Company, Inc, et al. v. Spiridon Spireas, et al., C.A. No. 2:12-00815

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 JUNE 14, 2012

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the Judicial Panel on Multidistrict Litigation on June 14, 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 July 26, 2012, in Cleveland, Ohio.

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

Motion of plaintiff Shirley Clark La Blanche for reconsideration of the Panel's June 8, 2012, order which transferred the following action to the Southern District of California.

Southern District of Texas

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

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel