

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Oct 16, 2009

FILED
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ATTEST
By Jakeia Mells on Nov 03, 2009
FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ZICAM COLD REMEDY MARKETING
AND SALES PRACTICES LITIGATION

MDL No. 2096

(SEE ATTACHED SCHEDULE)

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CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
BY _____ DEPUTY

CONDITIONAL TRANSFER ORDER (CTO-1)

On October 9, 2009, the Panel transferred eight civil actions to the United States District Court for the District of Arizona for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See ___ F.Supp. 2d ___ (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Frederick J. Martone.

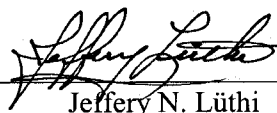
It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Arizona and assigned to Judge Martone.

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 District of Arizona for the reasons stated in the order of October 9, 2009, and, with the consent of that court, assigned to the Honorable Frederick J. Martone.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Arizona. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.
Nov 03, 2009
CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

I hereby attest and certify on 11.3.09
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my cus-
tody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

By _____ Deputy