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**NOT FOR PUBLICATION**

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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IN RE: Zicam Cold Remedy Marketing,  
Sales Practices, and Products Liability  
Litigation.

No. 09-md-2096-PHX-FJM

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**ORDER**

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THIS DOCUMENT RELATES TO:

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Morales, Jr., David v. Matrixx  
Initiatives, Inc., et al.  
CV 10-2753-PHX-DGC

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The court has before it the parties’ “Stipulated Motion to Transfer Related Case to MDL No. 2096 In Re: Zicam Cold Remedy Marketing, Sales Practices, and Products Liability Litigation” (doc. 1300).

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Plaintiffs allege that they suffered anosmia after using Zicam Cold Remedy, and assert claims for fraud, negligence, failure to warn, defective design, breaches of express and implied warranty, and violation of the Unfair and Deceptive Trade Practices Act. Plaintiffs’ cases involve the same defendants and call for determination of substantially the same questions of law as the other personal injury cases in the MDL. See LRCiv 42.1(a).

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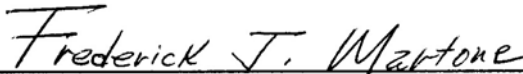
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Therefore, **IT IS ORDERED GRANTING** the parties’ stipulated motion to transfer (doc. 1300). **IT IS ORDERED** that 10-cv-2753-PHX-DGC shall be transferred to In Re:

1 Zicam Cold Remedy Marketing, Sales Practices, and Products Liability Litigation, MDL 09-  
2 2096-PHX-FJM.

3 DATED this 11<sup>th</sup> day of January, 2011.

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7 Frederick J. Martone  
8 United States District Judge  
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