

A CERTIFIED TRUE COPY
 ATTEST
 By Denise Morgan-Stone on Nov 10, 2008

 FOR THE UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Oct 23, 2008

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: TYSON FOODS, INC., CHICKEN RAISED
WITHOUT ANTIBIOTICS CONSUMER LITIGATION

Johnnie M. Gupton v. Tyson Foods, Inc.,)
E.D. Arkansas, C.A. No. 4:08-587)

MDL No. 1982

RDB-08-3059

CONDITIONAL TRANSFER ORDER (CTO-1)

On October 17, 2008, the Panel transferred seven civil actions to the United States District Court for the District of Maryland for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___F.Supp.2d___ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Richard D. Bennett.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the District of Maryland and assigned to Judge Bennett.

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), this action is transferred under 28 U.S.C. § 1407 to the District of Maryland for the reasons stated in the order of October 17, 2008, and, with the consent of that court, assigned to the Honorable Richard D. Bennett.

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 Maryland. 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 10, 2008

CLERK'S OFFICE
 UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi

 Jeffery N. Lüthi
 Clerk of the Panel

I hereby attest and certify on 11-24-08
 that the foregoing document is a full, true and correct
 copy of the original on file in my office and in my
 legal custody.
 FELICIA C. CANNON
 CLERK, U. S. DISTRICT COURT
 DISTRICT OF MARYLAND

By *J. Lewis* Deputy