

A CERTIFIED TRUE COPY  
 ATTEST  
 By Tanisha Spinner on Feb 09, 2009  
 FOR THE UNITED STATES  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

UNITED STATES  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL  
 on  
 MULTIDISTRICT LITIGATION

Jan 22, 2009  
 FILED  
 CLERK'S OFFICE

IN RE: CONAGRA PEANUT BUTTER  
 PRODUCTS LIABILITY LITIGATION

MDL No. 1845

FILED IN CLERK'S OFFICE  
 U.S.D.C. Atlanta

(SEE ATTACHED SCHEDULE)

FEB - 9 2009

CONDITIONAL TRANSFER ORDER (CTO-32)

JAMES N. HATTEN, CLERK  
 By: *[Signature]* Deputy Clerk

On July 17, 2007, the Panel transferred 17 civil actions to the United States District Court for the Northern District of Georgia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 495 F.Supp.2d 1381 (J.P.M.L. 2007). Since that time, 244 additional actions have been transferred to the Northern District of Georgia. With the consent of that court, all such actions have been assigned to the Honorable Thomas W. Thrash, Jr.

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

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 Northern District of Georgia for the reasons stated in the order of July 17, 2007, and, with the consent of that court, assigned to the Honorable Thomas W. Thrash, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Georgia. 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.  
**Feb 09, 2009**  
 CLERK'S OFFICE  
 UNITED STATES  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

FOR THE PANEL:

*[Signature]*  
 Jeffrey N. Lüthi  
 Clerk of the Panel

ATTEST: A TRUE COPY  
 CERTIFIED THIS  
 FEB 10 2009  
 James N. Hatten, Clerk  
 By: *[Signature]* Deputy Clerk

**IN RE: CONAGRA PEANUT BUTTER  
PRODUCTS LIABILITY LITIGATION**

MDL No. 1845

**SCHEDULE CTO-32 - TAG-ALONG ACTIONS**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ARKANSAS EASTERN ARE 4 08-4249	Janice Bayliss, et al. v. ConAgra Foods, Inc.
IOWA SOUTHERN IAS 4 09-9	Virginia Enloe v. ConAgra Foods, Inc.
ILLINOIS NORTHERN ILN 1 08-7321 ILN 1 09-71	Ronald Ziven v. ConAgra Foods, Inc. Nora Norton v. ConAgra Foods, Inc., et al.
PENNSYLVANIA WESTERN PAW 1 08-332	B.S., et al. v. ConAgra Foods, Inc.
TEXAS SOUTHERN <del>TXS 4 08-3723</del>	<del>Avery Ayers, et al. v. ConAgra Foods, Inc.</del> Opposed 2/6/09

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
J. Frederick Motz  
United States District Court  
District of Maryland

Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Kathryn H. Vratil  
United States District Court  
District of Kansas

David R. Hansen  
United States Court of Appeals  
Eighth Circuit

W. Royal Furgeson, Jr.  
United States District Court  
Western District of Texas

Frank C. Damrell, Jr.  
United States District Court  
Eastern District of California

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888  
<http://www.jpml.uscourts.gov>

February 9, 2009

James N. Hatten, Clerk  
2217 Richard B. Russell Fed. Bldg.  
& U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303-3309

Re: MDL No. 1845 -- IN RE: ConAgra Peanut Butter Products Liability Litigation

(See Attached CTO-32)

Dear Mr. Hatten:

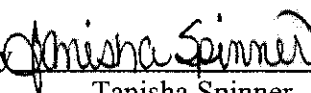
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on January 22, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel, judges and clerks are attached to this letter.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Tanisha Spinner  
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Thomas W. Thrash, Jr.

JPML Form 36A

**INVOLVED COUNSEL LIST (CTO-32)**

Wesley Todd Ball  
FARRAR & BALL LLP  
1010 Lamar  
Suite 1600  
Houston, TX 77002

John D. Bonini  
MCGUIREWOODS LLP  
77 West Wacker Drive  
Suite 4100  
Chicago, IL 60601-7567

Elizabeth J. Cabraser  
LIEFF CABRASER HEIMANN  
& BERNSTEIN LLP  
One Nashville Place  
150 4th Avenue North  
Suite 1650  
Nashville, TN 37219-2423

Bryan J. Goldsmith  
WEBBER GAUMER EMANUEL PC  
111 West 2nd Street  
P.O. Box 601  
Ottumwa, IA 52501-0601

William G. Holt  
GARY EUBANKS & ASSOCIATES  
P.O. Box 3887  
Little Rock, AR 72203-3887

Paul A. Lagnese  
BERGER & LAGNESE LLC  
912 Frick Building  
437 Grant Street  
Pittsburgh, PA 15219

Andre M. Landry, III  
LOOPER REED & MCGRAW PC  
1300 Post Oak Blvd  
Suite 2000  
Houston, TX 77056

Stephen Jay McMullen  
212 West Washington Street  
Suite 909  
Chicago, IL 60606

James Francis Neale  
MCGUIREWOODS LLP  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902-1288

Steven J. Seidman  
LAW OFFICES OF STEVEN J SEIDMAN  
20 South Clark Street  
Suite 700  
Chicago, IL 60603

Robert H. Smalley, III  
MCCAMY PHILLIPS TUGGLE & FORDHAM LLP  
P.O. Box 1105  
Dalton, GA 30722

John F. Thomas  
MCGRATH NORTH MULLIN & KRATZ PC LLC  
First National Tower  
1601 Dodge Street  
Suite 3700  
Omaha, NE 68102

James H. Walsh  
MCGUIREWOODS LLP  
One James Center  
901 East Cary Street  
Richmond, VA 23219-4030

**IN RE: CONAGRA PEANUT BUTTER  
PRODUCTS LIABILITY LITIGATION**

MDL No. 1845

**INVOLVED JUDGES LIST (CTO-32)**

Hon. Garnett Thomas Eisele  
Senior U.S. District Judge  
Richard Sheppard Arnold U.S. Courthouse  
600 West Capitol Avenue  
C244 IN Anne  
Little Rock, AR 72201

Hon. William J. Hibbler  
U.S. District Judge  
1262 Everett McKinnley  
Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Hon. Matthew F. Kennelly  
U.S. District Judge  
2188 Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Hon. Ronald E. Longstaff  
Senior U.S. District Judge  
115 U.S. Courthouse  
123 East Walnut Street  
Des Moines, IA 50309

Hon. Sean J. McLaughlin  
U.S. District Judge  
17 South Park Row  
Room A-250  
Erie, PA 16501

Hon. Lee H. Rosenthal  
U.S. District Judge  
~~11535 Bob Casey U.S. Courthouse~~  
515 Rusk Avenue  
Houston, TX 77002

**IN RE: CONAGRA PEANUT BUTTER  
PRODUCTS LIABILITY LITIGATION**

MDL No. 1845

**INVOLVED CLERKS LIST (CTO-32)**

James W. McCormack, Clerk  
402 U.S. Courthouse  
600 West Capitol Avenue  
Little Rock, AR 72201-3325

Marge Krahn, Clerk  
P.O. Box 9344  
Des Moines, IA 50306-9344

Michael W. Dobbins, Clerk  
Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Robert V. Barth, Jr., Clerk  
U.S. District Court  
P.O. Box 1820  
Eric, PA 16507-0820

~~Michael N. Milby, Clerk  
United States District Court  
P.O. Box 61010  
Houston, TX 77208-1010~~