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UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: CHECKING ACCOUNT OVERDRAFT LITIGATION

David J. Sachar, et al. v. IberiaBank Corp., et al.,)
E.D. Arkansas, C.A. No. 4:11-266) MDL No. 2036

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER AND VACATING THE JULY 28, 2011, HEARING SESSION ORDER

A conditional transfer order was filed in this action (*Sachar*) on March 28, 2011. Prior to the expiration of the 7-day stay of transmittal of that order, plaintiffs in *Sachar* filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. Plaintiffs have now informed the Panel that they wish to withdraw their opposition to transfer.[1] Defendants IBERIABANK Corporation and IBERIABANK (Louisiana), which previously responded in limited support of plaintiffs' motion to vacate, now state that they, too, support transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-34" filed on March 28, 2011, is LIFTED. The action is transferred to the Southern District of Florida for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable James Lawrence King.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on June 14, 2011, are VACATED insofar as they relate to this action.

Certified to be a true and correct copy of the document on file
Steven M. Larimore, Clerk,
U.S. District Court
Southern District of Florida
By Graciela Gomez
Deputy Clerk
Date 07/29/2011

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

[1] Plaintiffs have done so through a pleading styled as a"Motion to Dismiss Their Motion to Vacate the Conditional Transfer Order." In light of this order, that motion shall be deemed moot.

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