

U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

2007 JAN 17 PM 4:51

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

LORETTA G. WHYTE  
CLERK

DEC 29 2006

FILED  
CLERK'S OFFICE

**A CERTIFIED TRUE COPY**  
  
JAN 17 2007  
  
ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

DOCKET NO. 1657

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-80)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 5,552 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

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

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 Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. 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.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.  
  
JAN 17 2007  
  
CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

CLERK'S OFFICE  
A TRUE COPY  
  
JAN 30 2007  
  
Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

*[Signature]*  
Deputy Clerk of the Panel

Fee \_\_\_\_\_  
Process \_\_\_\_\_  
 Dkt'd *[Signature]*  
CtRmDep \_\_\_\_\_  
Doc. No. 9913

**SCHEDULE CTO-80 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

EDLA  
SEC. L/3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
<b>CALIFORNIA CENTRAL</b>		
CAC 2 06-7329	Martha Fernandez v. Merck & Co., Inc.	07-344
<b>CALIFORNIA EASTERN</b>		
CAE 2 06-2436	Ray Slusser v. Merck & Co., Inc., et al.	07-345
CAE 2 06-2523	Anthony Gutierrez, et al. v. Merck & Co., Inc., et al.	07-346
CAE 2 06-2525	Ruby Wheeler, etc. v. Merck & Co., Inc., et al.	07-347
CAE 2 06-2546	Michael A. Gamberg, Sr., et al. v. Merck & Co., Inc., et al.	07-348
CAE 2 06-2547	Ernest E. Whitesell, et al. v. Merck & Co., Inc., et al.	07-349
CAE 2 06-2548	Nirmal S. Bains, et al. v. Merck & Co., Inc., et al.	07-350
CAE 2 06-2559	William D. Schnack, et al. v. Merck & Co., Inc., et al.	07-351
CAE 2 06-2560	Susan Leslie, et al. v. Merck & Co., Inc., et al.	07-352
CAE 2 06-2563	Kathie K. Sabato, et al. v. Merck & Co., Inc., et al.	07-353
CAE 2 06-2568	Michael D. Ento v. Merck & Co., Inc., et al.	07-354
CAE 2 06-2574	Terry Gann v. Merck & Co., Inc., et al.	07-355
CAE 2 06-2575	Louis M. Fatur, etc. v. Merck & Co., Inc., et al.	07-356
CAE 2 06-2598	Joan A. Olson v. Merck & Co., Inc., et al.	07-357
CAE 2 06-2599	Denise G. Crank v. Merck & Co., Inc., et al.	07-358
CAE 2 06-2600	Betty Phares, et al. v. Merck & Co., Inc., et al.	07-359
CAE 2 06-2601	Jacqueline K. O'Sullivan v. Merck & Co., Inc., et al.	07-360
<b>CALIFORNIA NORTHERN</b>		
CAN 3 06-7068	Joan H. Cole v. Merck & Co., Inc.	07-361
CAN 3 06-7069	George Bernal v. Merck & Co., Inc.	07-362
CAN 3 06-7084	Maria Estella Rosendo v. Merck & Co., Inc.	07-363
CAN 3 06-7085	Roberta Salazar v. Merck & Co., Inc.	07-364
CAN 3 06-7163	Katherine Kloverstrom v. Merck & Co., Inc., et al.	07-365
CAN 4 06-7118	Michael Sisson v. Merck & Co., Inc.	07-366
CAN 4 06-7120	Joanne Rincon, et al. v. Merck & Co., Inc.	07-367
CAN 5 06-7040	Viet Tran v. Merck & Co., Inc.	07-368
<b>CALIFORNIA SOUTHERN</b>		
<del>CAS 3 06-2535</del>	<del>Hermogenes Del Rosario v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<del>CAS 3 06-2536</del>	<del>Maria Graham, etc. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<del>CAS 3 06-2537</del>	<del>Sandra Boardman, etc. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<del>CAS 3 06-2538</del>	<del>Lloyd Bell, etc. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<del>CAS 3 06-2539</del>	<del>Joseph Cornwall, etc. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<b>FLORIDA MIDDLE</b>		
FLM 5 06-414	Patricia Terry v. Merck & Co., Inc., et al.	07-369
FLM 8 06-2178	Donald R. Breckley, etc. v. Merck & Co., Inc., et al.	07-370
FLM 8 06-2180	Costas Gianaros v. Merck & Co., Inc., et al.	07-371
FLM 8 06-2195	Victor Rodriguez Rojas v. Merck & Co., Inc., et al.	07-372
<b>FLORIDA SOUTHERN</b>		
FLS 1 06-22737	Manuel Ramirez, etc. v. Merck & Co., Inc.	07-373
<b>ILLINOIS NORTHERN</b>		
ILN 1 06-6150	Celia Bucio, et al. v. Merck & Co., Inc.	07-374
ILN 1 06-6413	Emma Bruce, etc. v. Merck & Co., Inc.	07-375

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CASE CAPTION

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ILS 3 06-935	Jessie Lucas v. Merck & Co., Inc.	07-379
ILS 3 06-936	Barbara J. McKeal v. Merck & Co., Inc.	07-380
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<del>ILS 3 06-948</del>	<del>Patricia A. Taylor v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
ILS 3 06-949	Pearl Hayes, et al. v. Merck & Co., Inc.	07-382
<del>ILS 3 06-965</del>	<del>Richard Schlemmer v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
ILS 3 06-966	Lucy Petty, etc. v. Merck & Co., Inc., et al.	07-383
<del>ILS 3 06-967</del>	<del>Melvin Mayfield v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<b>MARYLAND</b>		
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<b>MISSISSIPPI NORTHERN</b>		
MSN 1 06-313	V.J. Robinson, et al. v. Merck & Co., Inc., et al.	07-385
MSN 3 06-143	Scott Neal, et al. v. Merck & Co., Inc.	07-386
<b>NEW YORK SOUTHERN</b>		
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<b>OHIO NORTHERN</b>		
OHN 1 06-2582	Cynthia L. Walters-Farmer, et al. v. Merck & Co., Inc.	07-388
<b>PENNSYLVANIA EASTERN</b>		
<del>PAE 2 06-5124</del>	<del>Marion Gass v. Merck &amp; Co., Inc.</del>	<del>OPPOSED 1/16/07</del>
<b>SOUTH CAROLINA</b>		
<del>SC 4 06-3225</del>	<del>Joyce R. Sanders, etc. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/16/07</del>
SC 4 06-3280	Virginia Dorriety v. Merck & Co., Inc.	07-389
SC 8 06-3230	Ruby Jean Isler v. Merck & Co., Inc.	07-390
<b>TENNESSEE EASTERN</b>		
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<b>TEXAS EASTERN</b>		
TXE 1 06-732	Sam A. Maida v. Merck & Co., Inc.	07-392
TXE 2 06-476	George Carter, et al. v. Merck & Co., Inc.	07-393
TXE 6 06-492	Dennis March v. Merck & Co., Inc.	07-394
TXE 9 06-255	Michael Braid, et al. v. Merck & Co., Inc., et al.	07-395
<b>TEXAS NORTHERN</b>		
TXN 4 06-805	Bonnie Davis v. Merck & Co., Inc.	07-396
TXN 4 06-815	Tommy Weddington v. Merck & Co., Inc.	07-397
<b>TEXAS SOUTHERN</b>		
<del>FXS 1 06-181</del>	<del>Maria G. Gonzalez v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
TXS 1 06-185	Rosalio Adame, et al. v. Merck & Co., Inc., et al.	07-398
<del>FXS 3 06-721</del>	<del>John Blazier v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/17/07</del>
<del>FXS 3 06-723</del>	<del>Evert Crump v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/17/07</del>
<del>FXS 3 06-724</del>	<del>Richard Smith v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/17/07</del>
<del>FXS 4 06-3689</del>	<del>Vada Tolbert v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/17/07</del>
<del>FXS 7 06-345</del>	<del>Abdon Gonzalez v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<del>FXS 7 06-346</del>	<del>Maria Quintanilla v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>
<del>FXS 7 06-347</del>	<del>Adriana Negrete v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 1/10/07</del>

DIST. DIV. C.A. #

CASE CAPTION

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TEXAS WESTERN

TXW 1 06-902

James Mercer v. Merck & Co., Inc., et al.

07-399

~~TXW 5 06-985~~

~~Selma Gonzalez, et al. v. Merck & Co., Inc., et al.~~

OPPOSED 1/10/07

UTAH

UT 2 06-986

Lisa Ann Phillips, et al. v. Merck & Co. Inc.

07-400