



UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**Aug 31, 2009**

FILED  
CLERK'S OFFICE

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

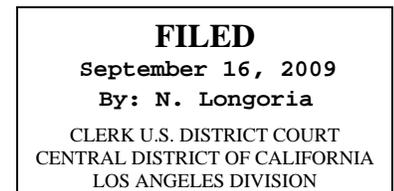
**IN RE: WELLPOINT, INC., OUT-OF-NETWORK  
"UCR" RATES LITIGATION**

American Podiatric Medical Association, et al. v. WellPoint, Inc., )  
E.D. California, C.A. No. 2:09-1740 )

MDL No. 2074

**CACD Case Number: CV09-6725 PSG (CTx)**

**CONDITIONAL TRANSFER ORDER (CTO-1)**

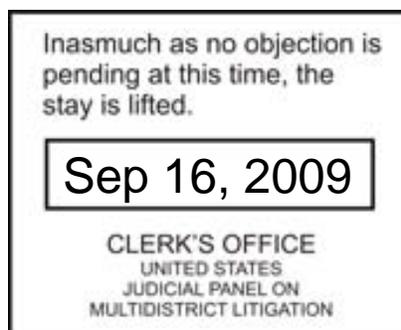


On August 19, 2009, the Panel transferred one civil actions to the United States District Court for the Central District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* \_\_\_ F.Supp.2d \_\_\_ (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Philip S. Gutierrez.

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

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 Central District of California for the reasons stated in the order of August 19, 2009, and, with the consent of that court, assigned to the Honorable Philip S. Gutierrez.

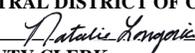
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Central District of California. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

I hereby attest and certify on 09/16/09 that the foregoing document is full, true and correct copy of the original on file in my office, and in my legal custody.

CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
  
DEPUTY CLERK



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

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

**MEMBERS:**  
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  
Northern 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>

September 16, 2009

Terri Nafisi, Clerk  
G-8 U.S. Courthouse  
312 North Spring Street  
Los Angeles, CA 90012

Re: MDL No. 2074 -- IN RE: WellPoint, Inc., Out-of-Network "UCR" Rates Litigation

(See Attached CTO-1)

Dear Ms. Nafisi:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 31, 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 is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By Tarrell L. Littleton  
Tarrell L. Littleton  
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Philip S. Gutierrez

**IN RE: WELLPOINT INC., OUT-OF-NETWORK  
“UCR” RATES LITIGATION**

MDL No. 2074

**INVOLVED COUNSEL LIST (CTO-1)**

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Philip S. Gutierrez and the assigned discovery Magistrate Judge is Carolyn Turchin.

The case number on all documents filed with the Court should read as follows:

**CV09- 6725 PSG (CTx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.



**TERRY NAFISI**

District Court Executive  
and Clerk of Court

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**WESTERN DIVISION**

312 North Spring Street, Room G-8 Los  
Angeles, CA 90012  
Tel: (213) 894-3535  
Fax: (213)894-4422

**SOUTHERN DIVISION**

411 West Fourth Street, Suite 1053  
Santa Ana, CA 92701-4516  
(714) 338-4570

**EASTERN DIVISION**

3470 Twelfth Street, Room 134  
Riverside, CA 92501  
(951) 328-4450

September 16,2009

Clerk, United States District Court  
Eastern District of CALIFORNIA

**Re: MDL 2074 In Re: WELLPOINT, INC., OUT-OF-NETWORK "UCR"**

Transfer of your Civil Case No. 2:09-1740

Case Title: AMERICAN PODIATRIC MEDICAL ASSOCIATION, ET AL.

Dear Sir/Madam:

An order having been made by the Judicial Panel on Multi-district Litigation transferring the above-numbered case to this district and assigning Judge Philip S. Gutierrez to preside over this litigation, we are transmitting herewith a certified copy of conditional transfer order from the MDL Panel. We have assigned the following case number to this case: CV09- 6725 PSG (CTx) Please include reference to this case number when the case file is sent to this district.

We would appreciate receiving the case file as soon as possible. Thank you for your cooperation.

Very truly yours,

Clerk, U.S. District Court

NLONGORI

By: \_\_\_\_\_  
Deputy Clerk

cc: All counsel on the attorney service list.  
Clerk, MDL Panel