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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEANNA CHESHER,

 Plaintiff,

 v.

ELI LILLY AND COMPANY, an
Indiana Corporation,

 Defendant.

No. 1:14-CV-01265-GEB-SKO

No. 2:14-CV-01890-GEB-SKO

**ORDER DENYING EACH PLAINTIFF'S
MOTION TO TRANSFER VENUE**

CARL WOODRUFF and PENNY
WOODRUFF,

 Plaintiffs,

 v.

ELI LILLY AND COMPANY, and
Indiana corporation,

 Defendant.

Each Plaintiff moves under 28 U.S.C. § 1404(a) for an order transferring venue to the Southern District of Indiana, where Defendant Eli Lilly and Company ("Defendant") is headquartered. Section 1404(a) prescribes: "For the convenience of parties and witnesses, in the interest of justice, a district

1 court may transfer any civil action to any other district or
2 division where it might have been brought"

3 A motion to transfer venue under section
4 1404(a) requires the court to weigh multiple
5 factors in its determination whether transfer
6 is appropriate in a particular case. For
7 example, the court may consider: (1) the
8 location where the relevant [events
9 occurred], (2) the state most familiar with
10 the governing law, (3) the plaintiff's choice
11 of forum, (4) the respective parties'
12 contacts with the forum, (5) the contacts
13 relating to the plaintiff's cause of action
14 in the chosen forum, (6) the differences in
15 the cost of litigation in the two forums, (7)
16 the availability of compulsory process to
17 compel attendance of unwilling non-party
18 witnesses, and (8) the ease of access to
19 sources of proof.

20 Jones v. GNC Franchising, Inc., 211 F.3d 495, 498-499 (9th Cir.
21 2000).

22 The essence of each Plaintiff's argument is that the
23 motion should be granted because his or her case is among forty-
24 seven "Cymbalta actions" filed in twenty-nine district courts and
25 that venue transfer would prevent the "needlessly burdensome"
26 task of "individually litigating this volume of cases," reduce
27 costs, and increase efficiency. (Cheshier Docket Reply 6:3-7, ECF
28 No. 26; Woodruff Docket Reply 6:3-7, ECF No. 23.). Plaintiffs
allege they suffered injury from discontinuing use of Cymbalta, a
drug manufactured and marketed by Defendant, and that this injury
was caused by Defendant's failure to adequately warn of the
potential effects of withdrawal from Cymbalta.

Defendant counters Plaintiffs have not sustained their
burden of showing that transferring venue is in the interests of
justice. Specifically, Defendant argues:

a predominance of factors militate in favor

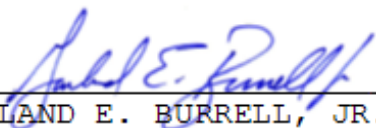
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of maintaining venue in the Eastern District of California – including . . . access to and convenience of key third-party witnesses and potential ability to compel the presence of these key witnesses at trial; and the interest of the state of California in the adjudication of disputes brought by its citizens by experienced California-based jurists.

(Cheshier Docket Opp'n 10:24-11:1, ECF No. 25; Woodruff Docket Opp'n 10:24-11:1, ECF No. 22.)

Each Plaintiff fails to show that the balance of the transfer of venue factors favors granting his or her requested transfer. Therefore, each motion is DENIED.

Dated: April 9, 2015



GARLAND E. BURRELL, JR.
Senior United States District Judge