

FILED 09 CV 1419

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ATTEST  
By Denise Morgan-Stone on Feb 17, 2009  
FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FEB 23 2009

Jan 29, 2009

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

FILED  
CLERK'S OFFICE

FLP  
S. D. J. 2/18/09

**IN RE: METHYL TERTIARY BUTYL ETHER ("MTBE")  
PRODUCTS LIABILITY LITIGATION**

Yosemite Springs Park Utility Co. v. Chevron U.S.A.,  
Inc., et al., N.D. California, C.A. No. 3:08-5713 *CRB*  
Deborah V. Spiroff, et al. v. Exxon Mobil Corp., et al.,  
E.D. New York, C.A. No. 1:06-2865 Opposed 2/13/09 )

MDL No. 1358

**CONDITIONAL TRANSFER ORDER (CTO-33)**

On October 10, 2000, the Panel transferred two civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 152 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Shira Ann Scheindlin.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Scheindlin.

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 Southern District of New York for the reasons stated in the order of October 10, 2000, and, with the consent of that court, assigned to the Honorable Shira Ann Scheindlin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. 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 17, 2009**  
CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

*Jeffery N. Lüthi*  
\_\_\_\_\_  
Jeffery N. Lüthi

Clerk of the Panel  
A CERTIFIED COPY

J. MICHAEL McMAHON, CLERK

BY *Courne Lapsley*  
\_\_\_\_\_  
DEPUTY CLERK