

JUDGE KAPLAN

'09 CIV

3476

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

A CERTIFIED TRUE COPY
ATTEST
By **Jakela Mells** on **Apr 06, 2009**
FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Mar 19, 2009

FILED FILED
CLERK'S OFFICE

APR 13 2009

RICHARD W. WIEMIG No. 2017
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

*filed
sdy
4/6/09*

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

C 09-0977 WHA
(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-3)

On February 9, 2009, the Panel transferred nine 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. See ___ F.Supp.2d ___ (J.P.M.L. 2009). Since that time, four 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 Lewis A. Kaplan.

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 Kaplan.

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 February 9, 2009, and, with the consent of that court, assigned to the Honorable Lewis A. Kaplan.

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.
Apr 06, 2009
CLERK'S OFFICE
UNITED STATES
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MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Jeffery N. Lüthi
Clerk of the Panel

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

MDL No. 2017

SCHEDULE CTO-3 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA CENTRAL

CAC 2 09-1501

City of Long Beach v. Richard S. Fuld, Jr., et al.

CALIFORNIA EASTERN

CAE 1 09-391

County of Tuolumne v. Ernst & Young, LLP, et al.

CALIFORNIA NORTHERN

CAN 3 09-875

City of Auburn v. Richard S. Fuld, Jr., et al.

CAN 3 09-876

City of Burbank v. Richard S. Fuld, Jr., et al.

SCAN 3 09-877

City of San Buenaventura v. Richard S. Fuld, Jr., et al.

CAN 3 09-926

City of Freemont v. Citigroup Global Markets, Inc., et al.

CONNECTICUT

CT 3 09-305

Eric Taussig v. Richard S. Fuld, Jr.