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 ATTEST
By April Layne on Aug 27, 2009

FOR THE UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

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

IN RE: CHECKING ACCOUNT OVERDRAFT LITIGATION

George T. Burke v. U.S. Bancorp, et al.,)
 N.D. California, C.A. No. 3:09-1579)
 Willyum Waters, et al. v. U.S. Bancorp, et al.,)
 N.D. California, C.A. No. 3:09-2071)

MDL No. 2036

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in these actions (*Burke & Waters*) on July 23, 2009. Prior to expiration of that order's 15-day stay of transmittal, defendants in *Burke & Waters* filed a notice of opposition to the proposed transfer. The Panel has now been advised that defendants wish to withdraw their opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-4" filed on July 23, 2009, is LIFTED insofar as it relates to these actions. The actions are transferred to the Southern District of Florida for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable James Lawrence King.

FOR THE PANEL:



Jeffery N. Lüthi
 Clerk of the Panel



Certified to be a true and correct copy of the document on file
 Steven M. Larimore, Clerk,
 U.S. District Court
 Southern District of Florida
 By Gracie Gomez
 Deputy Clerk
 Date 09/09/09