

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Nov 17, 2009

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

C90-5078 MEJ

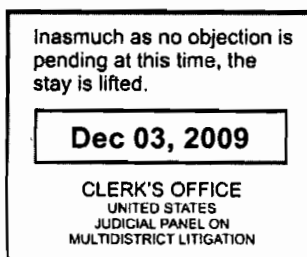
CONDITIONAL TRANSFER ORDER (CTO-24)

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 205 additional actions have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.


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 West Virginia and assigned to Judge Goodwin.

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 West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

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 West Virginia. 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

SCHEDULE CTO-24 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA NORTHERN
CAN 3 09-5078

Vilate Veirs v. Actavis Totowa, LLC, et al.

FLORIDA SOUTHERN
FLS 9 09-81584

Linda K. Suversion, etc. v. Mylan Pharmaceuticals, Inc., et al.

NEW JERSEY
NJ 2 09-5326
NJ 2 09-5327
NJ 2 09-5328
NJ 2 09-5329

Carl Ramsey v. Actavis Group hf, et al.
Pat Hilliard v. Actavis Group hf, et al.
Loren Massey v. Actavis Group hf, et al.
Lennett Kyle v. Actavis Group hf, et al.

PENNSYLVANIA EASTERN
PAE 2 09-4915

Faith G. Groves, etc. v. Actavis Group hf, et al.

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Hon. Kenneth A. Marra
U.S. District Judge
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UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

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Northern District of Indiana

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United States District Court
District of Kansas

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United States Court of Appeals
Eighth Circuit

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United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

David G. Trager
United States District Court
Eastern District of New York

DIRECT REPLY TO:

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December 3, 2009

Teresa Deppner, Clerk
Post Office Box 2546
Charleston, WV 25329-2546

Re: MDL No. 1968 -- IN RE: Digitek Products Liability Litigation

(See Attached CTO-24)

Dear Ms. Deppner:

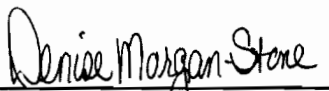
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on November 17, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of 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 judges, clerks & Panel Service List are attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Denise Morgan-Stone
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Joseph R. Goodwin