

FILED

APR 06 2010

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICEUNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Apr 05, 2010

FILED
CLERK'S OFFICE

A CERTIFIED TRUE COPY

ATTEST

By Teresa Bishop on Apr 05, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATIONIN RE: YASMIN AND YAZ (DROSPIRENONE) MARKETING,
SALES PRACTICES AND PRODUCTS LIABILITY

MDL No. 2100

TRANSFER ORDER

Before the entire Panel*: Plaintiffs in the Central District of California action and six Northern District of California actions listed on Schedule A move, pursuant to Rule 7.4, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001), to vacate our orders conditionally transferring the actions to the Southern District of Illinois for inclusion in MDL No. 2100. Defendants Bayer Corp., Bayer HealthCare LLC and Bayer HealthCare Pharmaceuticals Inc., formerly known as Berlex, Inc., formerly known as Berlex Laboratories, Inc., on its own behalf and as successor by merger to Bayer Pharmaceuticals Corp. (collectively Bayer) oppose the motions to vacate.

After considering all argument of counsel, we find that these actions involve common questions of fact with the actions in this litigation previously transferred to the Southern District of Illinois, and that transfer of these actions to the Southern District of Illinois for inclusion in MDL No. 2100 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. We further find that transfer of these actions is appropriate for reasons that we set out in our original order directing centralization in this docket. In that order, we held that the Southern District of Illinois was a proper Section 1407 forum for actions sharing factual questions relating to at least one of the drospirenone-containing oral contraceptives Yaz and Yasmin, which are manufactured by Bayer. *See In re Yasmin and Yaz (Drospirenone) Marketing, Sales Practices and Products Liability Litigation*, 655 F.Supp.2d 1343 (J.P.M.L. 2009).

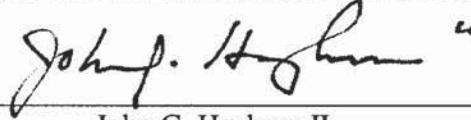
Plaintiffs in the actions before the Panel can present their motions for remand to state court to the transferee court. *See, e.g., In re Ivy*, 901 F.2d 7 (2nd Cir. 1990); *In re Prudential Insurance Company of America Sales Practices Litigation*, 170 F.Supp.2d 1346, 1347-48 (J.P.M.L. 2001).

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, these actions are transferred to the Southern District of Illinois and, with the consent of that court, assigned to the Honorable David R. Herndon for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket.

* Judges Miller and Trager took no part in the decision of this matter.

SOUTHERN DISTRICT OF ILLINOIS
CERTIFIED TRUE COPYBy Juana Brinkley
Deputy ClerkDate 4/6/10

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II
Chairman

Robert L. Miller, Jr.*
David R. Hansen
Frank C. Damrell, Jr.

Kathryn H. Vratil
W. Royal Furgeson, Jr.
David G. Trager*

**IN RE: YASMIN AND YAZ (DROSPIRENONE)
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

MDL No. 2100

SCHEDULE A

Central District of California

Rindy Andrews v. Bayer Corp., et al., C.A. No. 2:09-9154

10-20241-DRH-PMF

Northern District of California

Stevie Fanning v. Bayer Corp., et al., C.A. No. 3:09-5374

10-20242-DRH-PMF

Karen Knauer, et al. v. Bayer Corp., et al., C.A. No. 3:09-5387

10-20243-DRH-PMF

Heather Schroeder, et al. v. Bayer Corp., et al., C.A. No. 3:09-5845

10-20244-DRH-PMF

Lekecia C. Milam v. Bayer Corp., et al., C.A. No. 3:09-5902

10-20245-DRH-PMF

Jennifer Metzger, et al. v. Bayer Corp., et al., C.A. No. 3:09-5965

10-20246-DRH-PMF

Nadine Camara, et al. v. Bayer Corp., et al., C.A. No. 3:09-6084

10-20247-DRH-PMF