

A CERTIFIED TRUE COPY
 ATTEST
 By Teresa Bishop on Sep 09, 2010
 FOR THE UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

Aug 25, 2010

UNITED STATES JUDICIAL PANEL
 on
 MULTIDISTRICT LITIGATION

FILED
 CLERK'S OFFICE

IN RE: PHOTOCROMIC LENS
 ANTITRUST LITIGATION

MDL No. 2173

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On August 6, 2010, the Panel transferred five civil actions to the United States District Court for the Middle District of Florida for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d (J.P.M.L. 2010). With the consent of that court, all such actions have been assigned to the Honorable James D. Whittemore.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Middle District of Florida and assigned to Judge Whittemore.

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 Middle District of Florida for the reasons stated in the order of August 6, 2010, and, with the consent of that court, assigned to the Honorable James D. Whittemore.

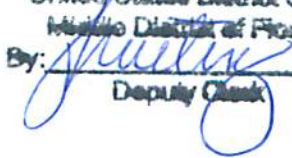
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Middle District of Florida. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
 Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.
 Sep 09, 2010
 CLERK'S OFFICE
 UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

Certify the foregoing to be a true and correct copy of the original.
 SHERRY L. LOESCH, Clerk
 United States District Court
 Middle District of Florida
 By: 
 Deputy Clerk

**IN RE: PHOTOCROMIC LENS
ANTITRUST LITIGATION**

MDL No. 2173

SCHEDULE CTO-1 - TAG-ALONG ACTIONS

| <u>DIST. DIV.</u> | <u>C.A. #</u> | <u>CASE CAPTION</u> |
|----------------------|---------------|--|
| CALIFORNIA NORTHERN | | |
| CAN 3 | 10-1984 | John Donohoe v. Transitions Optical, Inc. |
| CAN 3 | 10-2738 | Eric Terrell v. Transitions Optical, Inc., et al. |
| CAN 3 | 10-3099 | Cary'l O'Keefe v. Transitions Optical, Inc. |
| DISTRICT OF COLUMBIA | | |
| DC 1 | 10-835 | Carmel Mountain Vision Care v. Transitions Optical, Inc., et al. |
| DELAWARE | | |
| DE 1 | 10-635 | Insight Equity AP X LP v. Transitions Optical, Inc. |
| FLORIDA SOUTHERN | | |
| FLS 1 | 10-21518 | Gary Steven Eyes, Inc. v. Transitions Optical, Inc., et al. ✓ |
| FLS 1 | 10-21739 | Optical Supply, Inc. v. Transitions Optical, Inc., et al. ✓ |
| KANSAS | | |
| KS 2 | 10-2328 | DeWayne Blake v. Transitions Optical, Inc. |
| TEXAS NORTHERN | | |
| TXN 3 | 10-881 | Sickbert Family Eye Care, LLC, et al. v. Essilor Laboratories of America, Inc., et al. |
| WASHINGTON WESTERN | | |
| WAW 2 | 10-730 | Pennachio & Fishman, M.D., P.A. v. Transitions Optical, Inc., et al. |
| WAW 2 | 10-761 | Point of View, Inc. v. Transitions Optical, Inc., et al. |
| WAW 2 | 10-1044 | Dr. Robert A. Sherman, P.C. v. Transitions Optical, Inc., et al. |
| WAW 2 | 10-1046 | Metropolitan Optical, Inc. v. Transitions Optical, Inc., et al. |

**IN RE: PHOTOCROMIC LENS
ANTITRUST LITIGATION**

MDL No. 2173

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**IN RE: PHOTOCROMIC LENS
ANTITRUST LITIGATION**

MDL No. 2173

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