

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: DEPUY ORTHOPAEDICS, INC.,  
PINNACLE HIP IMPLANT PRODUCTS  
LIABILITY LITIGATION

C-11-5618-TEH

MDL No. 2244

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-43)

On May 23, 2011, the Panel transferred 3 civil action(s) to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 787 F.Supp.2d 1358 (J.P.M.L. 2011). Since that time, 220 additional action(s) have been transferred to the Northern District of Texas. With the consent of that court, all such actions have been assigned to the Honorable James Edgar Kinkeade.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Texas and assigned to Judge Kinkeade.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Texas for the reasons stated in the order of May 23, 2011, and, with the consent of that court, assigned to the Honorable James Edgar Kinkeade.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

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| <p>Inasmuch as no objection is pending at this time, the stay is lifted.</p> <p style="text-align: center;"><b>Dec 28, 2011</b></p> <p style="text-align: center;">CLERK'S OFFICE<br/>UNITED STATES<br/>JUDICIAL PANEL ON<br/>MULTIDISTRICT LITIGATION</p> |
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FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: DEPUY ORTHOPAEDICS, INC.,  
PINNACLE HIP IMPLANT PRODUCTS  
LIABILITY LITIGATION**

MDL No. 2244

**SCHEDULE CTO-43 – TAG-ALONG ACTIONS**

| <b><u>DIST</u></b>            | <b><u>DIV.</u></b> | <b><u>C.A.NO.</u></b> | <b><u>CASE CAPTION</u></b>                        |
|-------------------------------|--------------------|-----------------------|---|
| <b>CALIFORNIA CENTRAL</b>     |                    |                       |   |
| CAC                           | 2                  | 11-10178              | Carl Cossick v. DePuy Orthopaedics Inc et al      |
| <b>CALIFORNIA NORTHERN</b>    |                    |                       |   |
| CAN                           | 3                  | 11-06254              | Powell et al v. DePuy Orthopaedics, Inc. et al    |
| CAN                           | 3                  | 11-06258              | Bland et al v. DePuy Orthopaedics, Inc. et al     |
| CAN                           | 3                  | 11-06259              | Krumrine et al v. DePuy Orthopaedics, Inc. et al  |
| CAN                           | 3                  | 11-06261              | Olson et al v. DePuy Orthopaedics, Inc. et al     |
| <b>MONTANA</b>                |                    |                       |   |
| MT                            | 9                  | 11-00165              | Lay et al v. DePuy Orthopaedics, Inc. et al       |
| <b>NEVADA</b>                 |                    |                       |   |
| NV                            | 2                  | 11-01982              | Goff v. DePuy Orthopaedics, Inc et al             |
| <b>NEW JERSEY</b>             |                    |                       |   |
| NJ                            | 3                  | 11-06408              | LUMBRA et al v. DEPUY ORTHOPAEDICS, INC.<br>et al |
| NJ                            | 3                  | 11-06409              | KARABEKIAN v. DEPUY ORTHOPAEDICS, INC.<br>et al   |
| NJ                            | 3                  | 11-06410              | TORBERT v. DEPUY ORTHOPAEDICS, INC. et al         |
| NJ                            | 3                  | 11-06871              | STAUFFER v. DEPUY ORTHOPAEDICS, INC. et al        |
| <b>NEW YORK SOUTHERN</b>      |                    |                       |   |
| NYS                           | 1                  | 11-08465              | Marino et al v. DePuy Orthopaedics, Inc. et al    |
| <b>WEST VIRGINIA SOUTHERN</b> |                    |                       |   |
| WVS                           | 3                  | 11-00847              | Vickers v. Depuy Orthopaedics, Inc. et al         |

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LIABILITY LITIGATION

MDL No. 2244

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-41)

On May 23, 2011, the Panel transferred 3 civil action(s) to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 787 F.Supp.2d 1358 (J.P.M.L. 2011). Since that time, 213 additional action(s) have been transferred to the Northern District of Texas. With the consent of that court, all such actions have been assigned to the Honorable James Edgar Kinkeade.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Texas and assigned to Judge Kinkeade.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Texas for the reasons stated in the order of May 23, 2011, and, with the consent of that court, assigned to the Honorable James Edgar Kinkeade.

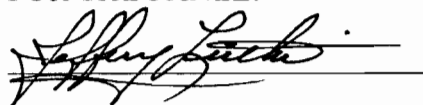
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-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.

Dec 14, 2011

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: DEPUY ORTHOPAEDICS, INC.,  
PINNACLE HIP IMPLANT PRODUCTS  
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MDL No. 2244

**SCHEDULE CTO-41 – TAG-ALONG ACTIONS**

| <b><u>DIST</u></b>  | <b><u>DIV.</u></b> | <b><u>C.A.NO.</u></b> | <b><u>CASE CAPTION</u></b>   |
|---------------------|--------------------|-----------------------|--|
| CALIFORNIA NORTHERN |                    |                       |  |
| CAN                 | 3                  | 11-05618              | Markham v. DePuy Orthopaedics, Inc. et al                          |
| CAN                 | 4                  | 11-05616              | Fong v. DePuy Orthopaedics, Inc. et al                             |
| INDIANA NORTHERN    |                    |                       |  |
| INN                 | 3                  | 11-00448              | Nelson v. DePuy Orthopaedics Inc et al                             |
| UTAH                |                    |                       |  |
| UT                  | 2                  | 11-01068              | Potter v. DePuy Orthopaedics et al                                 |
| VIRGINIA EASTERN    |                    |                       |  |
| VAE                 | 1                  | 11-01285              | Carey-Broomfield v. DePuy Orthopaedics, Inc. et al Opposed 12/9/11 |