

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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4
5 IN RE: BANK OF AMERICA
6 CREDIT PROTECTION
7 MARKETING & SALES
8 PRACTICES LITIGATION

NO. MD 11-2269 TEH

MDL. No. 2269

This Order Relates To:

9 Helena Wong v. Bank of
10 America Corp., et al., 12-
11 00527

ORDER TO PREPARE JOINT
STATEMENT ON
APPROPRIATENESS OF
INCLUSION IN CENTRALIZED
PROCEEDINGS

12 On January 23, 2012, the matter of *Helena Wong v. Bank of America Corp., et al.* was
13 transferred to the Northern District of California to be assigned to this Court for inclusion in
14 the ongoing multidistrict litigation, *In re: Bank of America Credit Protection Marketing and*
15 *Sales Practices Litigation.*

16 In transferring the case, the Panel on Multidistrict Litigation noted that the Defendants
17 dispute the propriety of transfer, and argue that the product purchased by Plaintiff Helena
18 Wong (“Wong”) is not the same product at issue in the ongoing multidistrict litigation. The
19 Panel declined to make a determination on this question, leaving the question of whether
20 including this matter in the multidistrict litigation will help or hinder the efficient resolution
21 of claims. Should this Court find that inclusion of the *Wong* case will not be beneficial, it
22 may make a recommendation of Remand to the Panel.

23 For this reason, the Court hereby ORDERS the parties in the matter of *Wong v. Bank*
24 *of America, et al.* to prepare a joint statement, detailing for the Court each party’s position on
25 the question of whether this matter will benefit from inclusion in the coordinated
26 proceedings, or whether there exist factual distinctions between this case and the coordinated
27 cases which would render inclusion inefficient. In addition to clearly setting forth the
28 position of each party on this question, the joint statement shall include a statement of the

1 facts on which the parties are able to agree, as well as a statement of disputed facts. Should
2 the Court feel that briefing is required, a further order will issue.

3 The parties shall meet and confer on this question prior to preparing the statement, and
4 the joint statement shall be filed on or before **March 6, 2012**.

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7 **IT IS SO ORDERED.**

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9 Dated: 2/9/2012



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT

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