

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA

I Certify that the foregoing is a true copy of the original on file in this court and cause.

Robert Trgovich, CLERK

By /s/ Jennifer Darrah

Date: 10/17/12

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: BIOMET M2A MAGNUM HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

MDL No. 2391

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO -1)**

On October 2, 2012, the Panel transferred 8 civil action(s) to the United States District Court for the Northern District of Indiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* \_F.Supp.2d\_ (J.P.M.L. 2012). Since that time, no additional action(s) have been transferred to the Northern District of Indiana. With the consent of that court, all such actions have been assigned to the Honorable Robert L Miller, Jr.

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 Indiana and assigned to Judge Miller.

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 Indiana for the reasons stated in the order of October 2, 2012, and, with the consent of that court, assigned to the Honorable Robert L Miller, Jr.

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 Indiana. 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.

**Oct 17, 2012**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: BIOMET M2A MAGNUM HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

MDL No. 2391

**SCHEDULE CTO-1 – 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 CENTRAL			
CAC	2	12-06513	Bryan Tidwell v. Biomet Orthopedics LLC et al
CALIFORNIA EASTERN			
CAE	2	12-01860	Beguin v. Biomet, Inc. et al
CALIFORNIA NORTHERN			
CAN	3	12-03368	Wilson et al v. Biomet Orthopedics, LLC et al
CAN	3	12-03444	Thomas v. Biomet Orthopedics, LLC et al
CAN	3	12-03446	Glancey v. Biomet Orthopedics, LLC et al
CAN	3	12-03447	Morrison v. Biomet Orthopedics, LLC et al
CAN	3	12-03476	Markusen v. Biomet, Inc. et al
CAN	3	12-03479	Fields et al v. Biomet Orthopedics, LLC et al
CAN	3	12-04276	Ponicsan et al v. Biomet, Inc. et al
CAN	4	12-03440	Napier v. Biomet Orthopedics, LLC et al
CAN	4	12-03448	Jacobs et al v. Biomet, Inc. et al
FLORIDA MIDDLE			
FLM	8	12-01157	Richards et al v. Biomet Orthopedics, LLC et al
GEORGIA MIDDLE			
GAM	5	12-00336	CREECH et al v. BIOMET INC et al
KANSAS			
KS	2	12-02435	Graham v. Biomet Orthopedics, LLC et al
KENTUCKY WESTERN			
KYW	3	12-00438	Edelen et al v. Biomet, Inc. et al
KYW	3	12-00491	Wurzel et al v. Biomet, Inc. et al

## LOUISIANA MIDDLE

LAM	3	12-00406	Winfield v. Biomet Orthopedics, LLC et al
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## MARYLAND

MD	1	12-01436	McCoy v. Biomet Orthopedics, LLC et al
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## MINNESOTA

MN	0	12-02061	Jackson v. Biomet Orthopedics, LLC et al
MN	0	12-02062	Baccus v. Biomet Orthopedics, LLC et al
MN	0	12-02063	Stedham v. Biomet Orthopedics, LLC et al

## NEW JERSEY

NJ	2	12-03136	CHADWICK v. BIOMET ORTHOPEDICS, INC. et al
NJ	2	12-03359	HANSON v. BIOMET, INC. et al
NJ	2	12-03414	ANKER et al v. BIOMET, INC. et al
NJ	2	12-04209	WADE et al v. BIOMET, INC. et al
NJ	3	12-03788	LANE v. BIOMET, INC. et al
NJ	3	12-05359	MIELE v. BIOMET, INC. et al

## NEW YORK SOUTHERN

NYS	1	12-05164	Pisani v. Biomet, Inc. et al
NYS	1	12-06171	Mathews v. Biomet, Inc. et al
NYS	1	12-06517	Hallagan v. Biomet Inc. et al
NYS	1	12-06518	O'Rourke v. Biomet, Inc. et al
NYS	1	12-06520	Simmons et al v. Biomet Inc. et al
NYS	1	12-06521	Sperandeo et al v. Biomet, Inc. et al
NYS	1	12-06522	Atilla et al v. Biomet Inc. et al
NYS	1	12-06523	Secor v. Biomet Inc. et al

## NORTH CAROLINA EASTERN

NCE	2	12-00042	Jenkins v. Biomet Orthopedics, LLC, et al
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## NORTH CAROLINA WESTERN

NCW	1	12-00251	Ferree v. Biomet Orthopedics, LLC et al
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## OHIO SOUTHERN

OHS	1	12-00451	Graham v. Biomet, Inc. et al
OHS	2	12-00396	Davis et al v. Biomet Orthopedics Inc et al

## PENNSYLVANIA EASTERN

PAE	2	12-03361	SELBY et al v. BIOMET, INC. et al
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PENNSYLVANIA WESTERN

PAW 2 12-00845 MODREY et al v. BIOMET, INC. et al

TEXAS NORTHERN

TXN 3 12-03568 Smith v. Biomet Inc et al

TXN 3 12-03573 Kordash v. Biomet, Inc. et al

TXN 3 12-03590 Bridges et al v. Biomet, Inc. et al

TEXAS SOUTHERN

TXS 4 12-02591 Hearn v. Biomet Orthopedics, LLC et al

TXS 4 12-02628 Klager et al v. Biomet, Inc. et al

TXS 4 12-02630 Walls v. Biomet, Inc. et al

TXS 4 12-02632 White-Jones v. Biomet, Inc. et al

TXS 4 12-02633 Larivee v. Biomet, Inc. et al

TXS 6 12-00038 Marshall v. Biomet, Inc. et al

TEXAS WESTERN

TXW 1 12-00632 Bannister v. Biomet Orthopedics, LLC et al

TXW 1 12-00796 Lara v. Biomet Orthopedics, LLC et al

VIRGINIA EASTERN

VAE 3 12-00709 ABOURJILIE v. BIOMET, INC. et al