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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID D. APPLEN, et al.,

Plaintiffs,

vs.

BRISTOL-MYERS SQUIBB COMPANY,  
MCKESSON CORPORATION, and DOES 1 to 100,

Defendants.

Case No.: 12-cv-1818 YGR

**ORDER RE: NOTICE OF REMOVAL**

United States District Court  
Northern District of California

On April 11, 2012, Defendant Bristol-Myers Squibb Company (“Defendant”) filed a Notice of Removal purporting to remove eight separate state court actions in that single notice. There is no indication in the Notice that such actions have been consolidated in the state court. Defendant simply states in its Notice that “[t]he *Bryan, Adams, Alexander, Ailes, Anderson, Applen, Bales and Caouette* cases are being removed together.” (Notice at 3:12-13.)

The statute governing removal of civil actions, 28 U.S.C. §1441, speaks only in terms of removal of a “civil action.” The Court is aware of no authority permitting a removing party to utilize a single notice of removal for multiple cases, nor is any such authority cited in the Notice of Removal here.


Therefore, the Notice of Removal filed by Defendant is deemed to apply **ONLY** to the state court action in *David D. Applen, et al., v. Bristol-Myers Squibb Company, et al.*, case number CGC-12-519102, filed in the Superior Court for the State of California, County of San Francisco. Should Defendant seek to remove the other actions, it shall file an appropriate notice of removal in each case.

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Defendant may, thereafter, move the Court to consider whether the cases should be related. See Civ. Local Rule 3-13.

**IT IS SO ORDERED.**

Dated: **April 19, 2012**

  
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**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**