



UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Aug 18, 2009

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

FILED
CLERK'S OFFICE

**IN RE: YAMAHA MOTOR CORP. RHINO ATV
PRODUCTS LIABILITY LITIGATION**

MDL No. 2016

(SEE ATTACHED SCHEDULE)

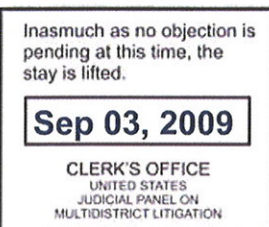
CONDITIONAL TRANSFER ORDER (CTO-13)

On February 13, 2009, the Panel transferred 51 civil actions to the United States District Court for the Western District of Kentucky for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 597 F.Supp.2d 1377 (J.P.M.L. 2009). Since that time, 104 additional actions have been transferred to the Western District of Kentucky. With the consent of that court, all such actions have been assigned to the Honorable Jennifer B. Coffman.

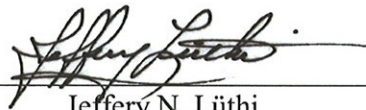
It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Kentucky and assigned to Judge Coffman.

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 Western District of Kentucky for the reasons stated in the order of February 13, 2009, and, with the consent of that court, assigned to the Honorable Jennifer B. Coffman.

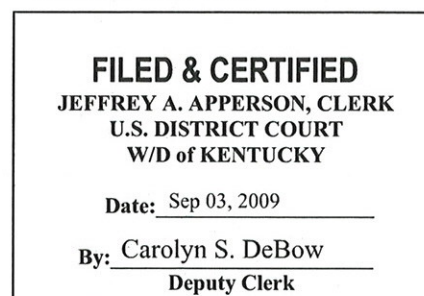
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Kentucky. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel



**IN RE: YAMAHA MOTOR CORP. RHINO ATV
PRODUCTS LIABILITY LITIGATION**

MDL No. 2016

SCHEDULE CTO-13 - TAG-ALONG ACTIONS

<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA NORTHERN			
ALN	3	09-1440	Kyle J. Robb v. Yamaha Motor Corp., USA, et al.
ARIZONA			
AZ	2	09-1041	Carlos Moreno v. Yamaha Motor Corp., USA, et al.
AZ	2	09-1486	Jesse Horta v. Yamaha Motor Corp., USA, et al.
CALIFORNIA CENTRAL			
CAC	2	09-3636	Jose Salas v. Yamaha Motor Corp., USA, et al.
CAC	2	09-4447	Danial Durfee v. Yamaha Motor Corp., USA, et al.
CAC	8	09-707	Dakota Job Higgins v. Yamaha Motor Corp., USA, et al.
CAC	8	09-837	Matthew Peters v. Yamaha Motor Co., Ltd., et al.
CALIFORNIA NORTHERN			
CAN	5	09-2107	Peter Boe v. Yamaha Motor Corp., USA, et al.
MICHIGAN WESTERN			
MIW	2	09-117	Cindy K. Schnittker, etc. v. Yamaha Motor Corp., USA, et al.
MINNESOTA			
MN	0	09-1663	Robert Eitel, etc. v. Yamaha Motor Corp., USA, et al.
MN	0	09-1701	Melanie Dean, etc. v. Yamaha Motor Corp., USA, et al.
MN	0	09-1703	Anthony Thompson v. Yamaha Motor Corp., USA, et al.
MN	0	09-1704	William Webb, etc. v. Yamaha Motor Corp., USA, et al.
MN	0	09-1787	Pamela Vlaanderen v. Yamaha Motor Corp., USA, et al.
MN	0	09-1897	Kenneth Markee, Jr. v. Yamaha Motor Corp., USA, et al.
MN	0	09-1903	Arrianna Green v. Yamaha Motor Corp., USA, et al.
MN	0	09-1904	Chauncey Sanders v. Yamaha Motor Corp., USA, et al.
MN	0	09-1905	Nicholas Bartow v. Yamaha Motor Corp., USA, et al.
MN	0	09-2084	Merri Hubbell, etc. v. Yamaha Motor Corp., USA, et al.
MISSISSIPPI SOUTHERN			
MSS	2	09-135	James Paul Polk v. Yamaha Motor Co., Ltd., et al.
MSS	3	09-418	Christie Kees v. Yamaha Motor Corp., USA, et al.
MSS	3	09-419	J.C.J., etc. v. Yamaha Motor Corp., USA, et al.

MDL No. 2016 - Schedule CTO-13 Tag-Along Actions (Continued)

<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>
NORTH CAROLINA WESTERN			
NCW	1	09-234	Ilisa Teague, et al. v. Yamaha Motor Corp., USA, et al.
NCW	3	09-259	Christopher D. Philemon v. Yamaha Motor Corp., USA, et al.
OHIO SOUTHERN			
OHS	1	09-514	Steven Beamer, et al. v. Yamaha Motor Co., Ltd., et al.
PENNSYLVANIA MIDDLE			
PAM	3	09-1487	David Marcinkevich v. Yamaha Motor Corp., USA
TEXAS WESTERN			
TXW	5	09-502	Joe Ben Young, etc. v. Yamaha Motor Corp., USA, et al.
WASHINGTON WESTERN			
WAW	2	09-998	Sarah Schoenfeld, et al. v. Yamaha Motor Corp., USA, et al.

*United States District Court
Western District of Kentucky
Office of the Clerk
United States Courthouse
601 West Broadway, Room 106
Louisville, Kentucky 40202-2249
(502) 625-3500*

*Jeffrey A. Apperson
Clerk of Court*

*Vanessa L. Armstrong
Chief Deputy Clerk*

September 3, 2009

Richard W. Wieking, Clerk
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
280 South First Street
San Jose, CA 95113

In Re: MDL 2016 - *In Re: YAMAHA MOTOR CORP. RHINO ATV PRODUCTS LIABILITY LITIGATION*

Dear Clerk of Court:

Attached is a certified copy of CTO 13 from the Judicial Panel on Multidistrict Litigation ordering the transfer of a case currently pending in your district:

Peter Boe v. Yamaha Motor Corp., USA, et al - 5:09-2107

Pursuant to this order the above-styled case must be transferred to the Western District of Kentucky at Louisville. Please file the attached certified copy of the CTO in the affected case, and close the case.

Please transmit the record of this case to the Western District of Kentucky at Louisville using the CM/ECF Case Transfer utility.

If you have any questions, please feel free to contact me by email to carolyn_s_debow@kywd.uscourts.gov or by telephone at 270-415-6406.

Sincerely,

s/ Carolyn DeBow, Deputy Clerk

Attachment: Certified Copy of CTO No. 11

cc: Judicial Panel on Multidistrict Litigation