

A CERTIFIED TRUE COPY  
 ATTEST  
 By Dana Stewart on Jul 17, 2009

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FOR THE UNITED STATES  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

FILED

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

2009 JUL 17 PM 2:25

Jul 01, 2009

U.S. DISTRICT COURT  
 UNITED STATES JUDICIAL PANEL  
 MIDDLE DISTRICT OF FLORIDA  
 ORLANDO, FLORIDA  
 MULTIDISTRICT LITIGATION

FILED  
CLERK'S OFFICE

IN RE: SEROQUEL PRODUCTS LIABILITY LITIGATION

MDL No. 1769

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-87)

FILED  
 AUG 13 2009  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

On July 6, 2006, the Panel transferred 87 civil actions to the United States District Court for the Middle District of Florida for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 447 F.Supp.2d 1376 (J.P.M.L. 2006). Since that time, 803 additional actions have been transferred to the Middle District of Florida. With the consent of that court, all such actions have been assigned to the Honorable Anne C. Conway.

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

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 Middle District of Florida for the reasons stated in the order of July 6, 2006, and, with the consent of that court, assigned to the Honorable Anne C. Conway.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Middle District of Florida. 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:

Inasmuch as no objection is pending at this time, the stay is lifted.

Jul 17, 2009

CLERK'S OFFICE  
 UNITED STATES  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

*[Signature]* the foregoing to be a true  
 correct copy of the original.  
 Clerk of the Panel  
 SHERYLL L. LOESCH, Clerk  
 United States District Court  
 Middle District of Florida

By: *[Signature]*  
 Deputy Clerk

SCHEDULE CTO-87 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

ALABAMA NORTHERN

ALN 2 09-1088

ALN 2 09-1106

Deborah Pratt v. AstraZeneca Pharmaceuticals, LP, et al.  
Wayne Williams v. AstraZeneca Pharmaceuticals, LP, et al.

CALIFORNIA NORTHERN

CAN 5 09-2410

Larry Howard v. AstraZeneca Pharmaceuticals, LP, et al.

CALIFORNIA SOUTHERN

CAS 3 09-1184

Timothy Costilow v. AstraZeneca Pharmaceuticals, LP, et al.

MINNESOTA

MN 0 09-1415

MN 0 09-1417

Lisa Batchelor v. AstraZeneca Pharmaceuticals, LP, et al.  
Annie Roden v. AstraZeneca Pharmaceuticals, LP, et al.

TEXAS EASTERN

TXE 1 09-144

Gloria Garcia, etc. v. AstraZeneca Pharmaceuticals, LP, et al.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
George C. Young U.S. Courthouse  
and Federal Building  
Office of the Clerk  
401 W. Central Boulevard, Suite 1200  
Orlando, Florida 32801  
407/835-4200

Sheryl L. Loesch  
Clerk

Tammy Tornus  
Orlando Division Manager

July 22, 2009

Mr. Richard W. Wieking, Clerk  
United States District Court  
Phillip Burton United States Courthouse  
450 Golden Gate Avenue, Box 36060  
San Francisco, CA 94102-3434

RE: MDL-1769 – In Re: Seroquel Products Liability Litigation

Dear Mr. Wieking:

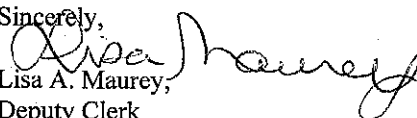
Enclosed is one certified copy of an order filed by the Panel under 28 U.S.C. § 1407. Section 1407 requires that the transferee clerk “transmit a certified copy of the Panel’s order to transfer to the clerk of the district court from which the action is being transferred.” A copy of Rule 1.6, R.P.J.P.M.L., 120 F.R.D. 251, which deals specifically with the transfer of files, is enclosed for your convenience.

Please either send your original file below and a certified copy of the docket sheet to this address: **U.S. District Court, Office of the Clerk, 401 West Central Blvd., 120, Orlando, FL, 32801-0120**; or, if the case is completely electronic and all documents can be retrieved from PACER, you can email a cover letter and certified docket sheet to me at [Lisa.Maurey@flmd.uscourts.gov](mailto:Lisa.Maurey@flmd.uscourts.gov) and Mollie Pleicones at [Mollie.Pleicones@flmd.uscourts.gov](mailto:Mollie.Pleicones@flmd.uscourts.gov).

Due to the large volume of cases, we are not using the CM/ECF inter-district transfer feature for the transfer of MDL cases. Also because of the large volume of cases, it will be very much appreciated if you can be sure to reference the Middle District of Florida’s case number on each of your cases.

If you have any questions, please contact me at 407-835-4217.

Sincerely,

  
Lisa A. Maurey,  
Deputy Clerk

Enclosures

c: Michael J. Beck, Clerk, MDL Panel

| CASE STYLE            | NDCA CASE NUMBER | MD FL CASE NUMBER      |
|-----------------------|------------------|------------------------|
| Howard v. AstraZeneca | 5:09-cv-2410     | 6:09-cv-1262-Orl-22DAB |

RULE 1.6: TRANSFER OF FILES

(a) Upon receipt of a certified copy of a transfer order from the clerk of the transferee district court, the clerk of the transferor district court shall forward to the clerk of the transferee district court the complete original file and certified copy of the docket sheet for each transferred action.

(b) If an appeal is pending, or a notice of appeal has been filed, or leave to appeal has been sought under 28 U.S.C. § 1292(b) or a petition for an extraordinary writ is pending, in any action included in an order of transfer under 28 U.S.C. § 1407, and the original file or parts thereof have been forwarded to the court of appeals, the clerk of the transferor district court shall notify the clerk of the court of appeals of the order of transfer and secure the original file long enough to prepare and transmit to the clerk of the transferee district court a certified copy of all papers contained in the original file and a certified copy of the docket sheet.

(c) If the transfer order provides for the separation and simultaneous remand of any claim, cross-claim, counterclaim, or third-party claim, the clerk of the transferor district court shall retain the original file and shall prepare and transmit to the clerk of the transferee district court a certified copy of the docket sheet and copies of all papers except those relating exclusively to separated and remanded claims.

(d) Upon receipt of an order to remand from the Clerk of the Panel, the transferee district court shall prepare and send to the clerk of the transferor district court the following:

- (i) a certified copy of the individual docket sheet for each action being remanded;
- (ii) a certified copy of the master docket sheet, if applicable;
- (iii) the entire file for each action being remanded, as originally received from the transferor district court and augmented as set out in this rule;
- (iv) a certified copy of the final pretrial order, if applicable; and
- (v) a "record on remand" to be composed of those parts of the files and records produced during coordinated or consolidated pretrial proceedings which have been stipulated to or designated by counsel as being necessary for any or all proceedings to be conducted following remand. It shall be the responsibility of counsel originally preparing or filing any document to be included in the "record on remand" to furnish on request sufficient copies to the clerk of the transferee district court.

(e) The Clerk of the Panel shall be notified when any files have been transmitted pursuant to this Rule.