

A CERTIFIED TRUE COPY
 ATTEST
 By Tarrell L. Littleton on Dec 14, 2009

FOR THE UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED

Dec 14, 2009

2009 DEC 23 A 9:48

FILED
CLERK'S OFFICE

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 IN AND FOR THE DISTRICT OF
 CALIFORNIA
 on
 MULTIDISTRICT LITIGATION

IN RE: CONOCOPHILLIPS CO. SERVICE
STATION RENT CONTRACT LITIGATION

C 09 06014 RMW

MDL No. 2040

HRL

(SEE ATTACHED SCHEDULE)

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the actions listed on the attached Schedule A on September 29, 2009. Prior to expiration of that order's 15-day stay of transmittal, plaintiffs in these actions filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. The Panel has now been advised that plaintiffs wish to withdraw their opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-3" filed on September 29, 2009, is LIFTED. The actions are transferred to the Northern District of California for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Ronald M. Whyte.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: CONOCOPHILLIPS CO. SERVICE
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

SCHEDULE A

Central District of California

Ray Merpour v. ConocoPhillips Co., C.A. No. 2:09-5704
Moussa Karimi v. ConocoPhillips Co., C.A. No. 2:09-5705
HM Khosh, Inc. v. ConocoPhillips Co., ~~C.A. No. 2:09-5706~~

Eastern District of California

Kasra Khadivi Dimbali v. ConocoPhillips Co., C.A. No. 2:09-2242

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Kathryn H. Vratil
United States District Court
District of Kansas

David R. Hansen
United States Court of Appeals
Eighth Circuit

W. Royal Furgeson, Jr.
United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

David G. Trager
United States District Court
Eastern District of New York

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December 14, 2009

Richard W. Wieking, Clerk
2112 U.S. Courthouse
280 South First Street
San Jose, CA 95113

C09 06014

RMW

HRL

Re: MDL No. 2040 -- IN RE: ConocoPhillips Co. Service Station Rent Contract Litigation

(See Attached Order)

Dear Mr. Wieking:

A conditional transfer order was filed in the above matter on September 29, 2009. Prior to the expiration of that order's 15-day stay, opposition to the proposed transfer was filed and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), the conditional transfer order was stayed until further order of the Panel. The opposition has now been withdrawn and I am therefore attaching as a separate PDF document a certified copy of today's order lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. § 1407. The order is directed to you for filing.

A Panel Service List is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Tarrell L. Littleton
Tarrell L. Littleton
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Ronald M. Whyte

**IN RE: CONOCOPHILLIPS CO. SERVICE
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

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