

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: COLLECTO, INC., TELEPHONE
CONSUMER PROTECTION ACT (TCPA)
LITIGATION MDL

Kalisha Johnson, et al. v. Collecto, Inc.,
N.D. California, C.A. No. 16-4063

No. 2513

CONDITIONAL TRANSFER ORDER (CTO - 5)
AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS

On February 18, 2014, the Panel transferred 2 civil action(s) to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 999 F.Supp.2d 1373 (J.P.M.L. 2014). Since that time, 6 additional action(s) have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Richard G Stearns.

It appears that the action on this conditional transfer order encompasses claims relating to (1) allegations that Collecto, Inc., used an automated telephone dialing system to call plaintiffs on their cellular phones, which involve questions of fact that are common to the actions previously transferred to MDL No. 2513; and (2) allegations that Collecto Inc., engaged in abusive debt collection practices in violation of federal and state fair debt collection laws, which do not involve common questions of fact with the actions in MDL No. 2513.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action on the attached schedule is transferred under 28 U.S.C. §1407 to the District of Massachusetts for the reasons stated in the order of February 18, 2014, and, with the consent of that court, assigned to the Honorable Richard G. Stearns.

Counts Three and Four concerning alleged violations of federal and state fair debt collection laws, which do not share common factual issues with the actions in MDL No. 2513, are separated and simultaneously remanded to the transferor court.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. 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.
Sep 07, 2016
CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

I hereby certify on 9/7/16 that the foregoing document is true and correct copy of the
[] electronically docketed in the captioned case
[X] electronically filed original filed on 9/7/16
[] original filed in my office on

Robert M. Farrell
Clerk, U.S. District Court
District of Massachusetts

By: Sherry Jones
Deputy Clerk