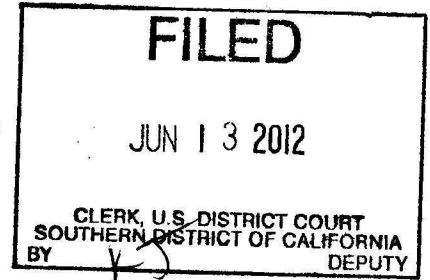


**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**



**IN RE: HYDROXYCUT MARKETING AND
SALES PRACTICES LITIGATION**

MDL No. 2087

(SEE ATTACHED SCHEDULE)



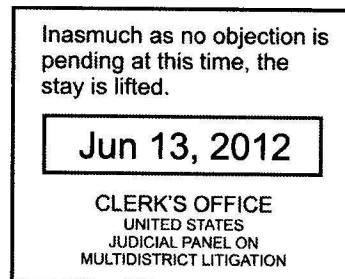
CONDITIONAL TRANSFER ORDER (CTO -42)

On October 6, 2009, the Panel transferred 13 civil action(s) to the United States District Court for the Southern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 655 F.Supp.2d 1357 (J.P.M.L. 2009). Since that time, 90 additional action(s) have been transferred to the Southern District of California. With the consent of that court, all such actions have been assigned to the Honorable Barry Ted Moskowitz.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of California and assigned to Judge Moskowitz.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Southern District of California for the reasons stated in the order of October 6, 2009, and, with the consent of that court, assigned to the Honorable Barry Ted Moskowitz.

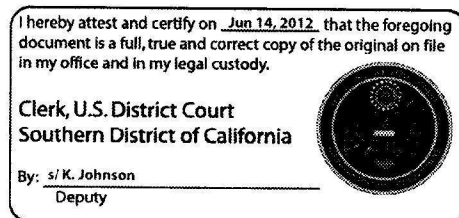
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of California. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

[Signature of Jeffery N. Lüthi]

Jeffery N. Lüthi
Clerk of the Panel



**IN RE: HYDROXYCUT MARKETING AND
SALES PRACTICES LITIGATION**

MDL No. 2087

SCHEDULE CTO-42 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
CALIFORNIA EASTERN			
CAE	2	12-00988	Blaylock et al v. Interhealth Nutraceuticals Incorporated et al
TEXAS SOUTHERN			
TXS	4	12-01124	Barton v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01126	Gigliotti v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01127	Heitkamp v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01128	Hernandez v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01129	Herrlich v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01130	McLean v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01131	Swartz v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01133	Terrazas, Jr. v. Iovate Health Sciences USA, Inc. et al
TXS	4	12-01134	Velasquez v. Iovate Health Sciences USA, Inc. et al