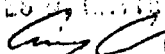


FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

MAR 24 2010

JAMES B. HUNTER, CLERK  
By:  (Deputy Clerk)

FILED  
MAR 26 2010  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Mar 09, 2010

FILED  
CLERK'S OFFICE

A CERTIFIED TRUE COPY  
ATTEST  
By Darion Payne on Mar 24, 2010  
FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**IN RE: DELTA/AIRTRAN BAGGAGE  
FEE ANTITRUST LITIGATION**

Dennis Patrick v. Delta Airlines, Inc., et al., )  
N.D. California, C.A. No. 4:10-530 )

MDL No. 2089

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On October 6, 2009, the Panel transferred one civil action to the United States District Court for the Northern District of Georgia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 655 F.Supp.2d 1362 (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Timothy C. Batten, Sr.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Northern District of Georgia and assigned to Judge Batten.

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), this action is transferred under 28 U.S.C. § 1407 to the Northern District of Georgia for the reasons stated in the order of October 6, 2009, and, with the consent of that court, assigned to the Honorable Timothy C. Batten, Sr.

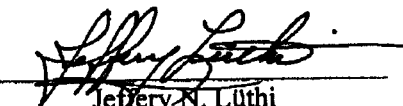
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Georgia. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-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.

Mar 24, 2010

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

ATTEST: A TRUE COPY  
OF THE ORIGINALS

MAR 24 2010

By:  Clerk  
Deputy Clerk

**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  
Elghth 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

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

March 24, 2010

James N. Hatten, Clerk  
2217 Richard B. Russell Fed. Bldg.  
& U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303-3309

Re: MDL No. 2089 -- IN RE: Delta/AirTran Baggage Fee Antitrust Litigation

(See Attached CTO-1)

Dear Mr. Hatten:

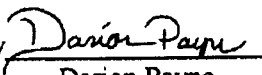
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on March 9, 2010. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 14 days to give any party an opportunity to oppose the transfer. The 14-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §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 list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Darion Payne  
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Timothy C. Batten, Sr.

JPML Form 36A

**IN RE: DELTA/AIRTRAN BAGGAGE  
FEE ANTITRUST LITIGATION**

MDL No. 2089

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