

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**IN RE: FRESH AND PROCESS POTATOES  
ANTITRUST LITIGATION**

MDL No. 2186

(SEE ATTACHED SCHEDULE)

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

On October 13, 2010, the Panel transferred 1 civil actions to the United States District Court for the District of Idaho for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* (J.P.M.L. 2010). Since that time, no additional actions have been transferred to the District of Idaho. With the consent of that court, all such actions have been assigned to the Honorable B. Lynn Winmill.

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

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 District of Idaho for the reasons stated in the order of October 13, 2010, and, with the consent of that court, assigned to the Honorable B. Lynn Winmill.

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 Idaho. 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.

**Nov 02, 2010**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel



Certified to be a true and correct copy of original filed in my office.

Elizabeth A. Smith, Clerk  
U.S. Courts, District of Idaho

*By Carrie McMahan*  
on Nov 03, 2010 8:21 am

Carrie  
McMahan

Digitally signed by Carrie McMahan  
DN: cn=Carrie McMahan, o=U.S. Courts, ou=Case Administration, email=Carrie\_McMahan@id.uscourts.gov, c=US  
Date: 2010.11.03 08:21:51 -06'00'

**IN RE: FRESH AND PROCESS POTATOES  
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MDL No. 2186

**SCHEDULE CTO-1 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>
CALIFORNIA NORTHERN			
CAN	3	10-03954	Sergio Marvilla v. United Potato Growers of Idaho, Inc., et al.
CAN	3	10-03984	Martha Florez v. Idahoan Foods, LLC, et al.
VERMONT			
VT	2	10-00244	Heiden et al v. United Potato Growers of America, Inc. et al
WISCONSIN EASTERN			
WIE	2	10-00851	Rizzo et al v. United Potato Growers of America Inc et al