

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA

I Certify that the foregoing is a true copy of the original on file in this court and cause.

Robert Trgovich, CLERK

By /s/ L. Bagley

Date: August 5, 2013

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: BIOMET M2A MAGNUM HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

MDL No. 2391

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO -46)**

On October 2, 2012, the Panel transferred 8 civil action(s) to the United States District Court for the Northern District of Indiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 896 F.Supp.2d 1339 (J.P.M.L. 2012). Since that time, 242 additional action(s) have been transferred to the Northern District of Indiana. With the consent of that court, all such actions have been assigned to the Honorable Robert L Miller, Jr.

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 Northern District of Indiana and assigned to Judge Miller.

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 Northern District of Indiana for the reasons stated in the order of October 2, 2012, and, with the consent of that court, assigned to the Honorable Robert L Miller, Jr.

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 Indiana. 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.

**Aug 05, 2013**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

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PRODUCTS LIABILITY LITIGATION**

MDL No. 2391

**SCHEDULE CTO-46 – TAG-ALONG ACTIONS**

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
CALIFORNIA NORTHERN			
CAN	3	13-03032	Rosmarin v. Biomet, Inc. et al
NEW JERSEY			
NJ	2	13-03662	FOUTS v. BIOMET, INC. et al