

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: ONGLYZA (SAXAGLIPTIN) AND  
KOMBIGLYZE XR (SAXAGLIPTIN AND  
METFORMIN) PRODUCTS LIABILITY  
LITIGATION**

MDL No. 2809

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO -9)**

On February 2, 2018, the Panel transferred 39 civil action(s) to the United States District Court for the Eastern District of Kentucky for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* \_F.Supp.3d\_ (J.P.M.L. 2018). Since that time, 52 additional action(s) have been transferred to the Eastern District of Kentucky. With the consent of that court, all such actions have been assigned to the Honorable Karen K Caldwell.

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 Eastern District of Kentucky and assigned to Judge Caldwell.

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 Eastern District of Kentucky for the reasons stated in the order of February 2, 2018, and, with the consent of that court, assigned to the Honorable Karen K Caldwell.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Kentucky. 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.
<b>Apr 18, 2018</b>
CLERK'S OFFICE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

<b>FILED AND CERTIFIED ROBERT R. CARR, CLERK U.S. DISTRICT COURT EASTERN DISTRICT OF KENTUCKY</b>
<b>Date:</b> 4/18/2018
<b>By:</b> C. Dearborn Deputy Clerk

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**SCHEDULE CTO-9 – TAG-ALONG ACTIONS**

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
ARIZONA			
AZ	4	18-00172	Peoples v. Bristol-Myers Squibb Company et al
ARKANSAS EASTERN			
ARE	4	18-00231	Booth v. Bristol Myers Squibb Company et al
CALIFORNIA EASTERN			
CAE	2	18-00680	Stewart v. Bristol-Myers Squibb Company et al
GEORGIA NORTHERN			
GAN	1	18-01292	Walz v. Bristol-Myers Squibb Company et al
GEORGIA SOUTHERN			
GAS	1	18-00060	Slaton v. Bristol-Meyers Squibb Company et al
ILLINOIS NORTHERN			
ILN	3	18-50110	Mills v. Bristol-Myers Squibb Company et al
ILLINOIS SOUTHERN			
ILS	3	18-00632	Gintz v. Bristol-Myers Squibb Company et al
INDIANA SOUTHERN			
INS	1	18-00984	WOODRUFF v. BRISTOL-MYERS SQUIBB COMPANY et al
INS	4	18-00055	HARDIN v. BRISTOL-MYERS SQUIBB COMPANY et al
KENTUCKY WESTERN			

KYW	5	18-00049	Kee v. Bristol-Myers Squibb Company et al
MISSISSIPPI NORTHERN			
MSN	1	18-00061	Loggan v. Bristol-Myers Squibb Company et al
MISSISSIPPI SOUTHERN			
MSS	3	18-00201	Maurras v. Bristol-Myers Squibb Company et al
MSS	3	18-00202	Harrell v. Bristol Myers Squibb Company et al
MSS	3	18-00214	Garrette v. Bristol-Myers Squibb Company et al
MISSOURI WESTERN			
MOW	4	18-00258	Wood v. Bristol Myers Squibb Company et al
MOW	4	18-00259	Payne v. Bristol Myers Squibb Company et al
MOW	4	18-00260	Ganzalez-McAllister v. Bristol Myers Squibb Company et al
NEW YORK SOUTHERN			
NYS	1	18-02860	Orschel v. Astrazeneca LP et al
NYS	1	18-02862	Carter v. Bristol-Myers Squibb Company et al
NYS	1	18-02863	Forgione v. Bristol-Myers Squibb Company et al
NYS	1	18-02866	Rouse v. Bristol-Myers Squibb Company et al
NYS	1	18-02914	Havice v. Bristol-Myers Squibb Company et al
NYS	1	18-02915	Waterman v. Bristol-Myers Squibb Company et al
NYS	1	18-02917	Gooch v. Bristol-Myers Squibb Company et al
NYS	1	18-02955	Trapp et al v. Bristol-Myers Squibb Company et al
NORTH CAROLINA EASTERN			
NCE	7	18-00052	Royal v. Bristol-Myers Squibb Company et al
NORTH CAROLINA MIDDLE			
NCM	1	18-00265	KEY v. BRISTOL-MYERS SQUIBB COMPANY, et al
OHIO NORTHERN			
OHN	3	18-00715	Clark et al v. Bristol-Myers Squibb Company et al
OKLAHOMA WESTERN			
OKW	5	18-00283	Brittain v. Bristol-Myers Squibb Company et al
TEXAS NORTHERN			
TXN	3	18-00824	Erwin v. Bristol-Myers Squibb Company et al
TXN	3	18-00825	Fouse v. Bristol-Myers Squibb Company et al

TXN	3	18-00826	Crear v. Bristol-Myers Squibb Company et al
TXN	3	18-00827	Sheppard v. Bristol-Myers Squibb Company et al
TXN	3	18-00828	Bivins v. Bristol-Myers Squibb Company et al
TXN	7	18-00045	Hasan v. Bristol-Myers Squibb Company et al

TEXAS SOUTHERN

TXS	2	18-00092	Gordon v. Bristol-Myers Squibb Company et al
TXS	4	18-00969	Jones v. Bristol-Myers Squibb Company et al
TXS	4	18-00971	Sparkman v. Bristol-Myers Squibb Company et al

WASHINGTON EASTERN

WAE	1	18-03049	Smith v. Bristol-Myers Squibb Company et al
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WISCONSIN EASTERN

WIE	2	18-00511	Jarman v. Bristol-Myers Squibb Company et al
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