

A CERTIFIED TRUE COPY
 ATTEST
 By Darion Payne on Jun 11, 2010

 FOR THE UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

U.S. DISTRICT COURT
 EASTERN DISTRICT OF LOUISIANA
 FILED JUN 11 2010
 LORETTA G. WHYTE
 CLERK
 UNITED STATES JUDICIAL PANEL

UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

May 27, 2010

FILED
 CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
 on
 MULTIDISTRICT LITIGATION

09 md 2116 J(2)

IN RE: APPLE IPHONE 3G AND 3GS "MMS"
 MARKETING AND SALES PRACTICES LITIGATION
 William F. West v. Apple, Inc., et al.,
 D. New Jersey, C.A. No. 1:10-1370

10-1739

SECT. J MAG. 2
 MDL No. 2116

CONDITIONAL TRANSFER ORDER (CTO-4)

On December 3, 2009, the Panel transferred 11 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 657 F.Supp.2d 1378 (J.P.M.L. 2009). Since that time, ten additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Carl J. Barbier.

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

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 Eastern District of Louisiana for the reasons stated in the order of December 3, 2009, and, with the consent of that court, assigned to the Honorable Carl J. Barbier.

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 Louisiana. 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.
 Jun 11, 2010
 CLERK'S OFFICE
 UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffrey N. Lüthi

 Jeffrey N. Lüthi
 Clerk of the Panel

Fee _____
 Process _____
 X Dktd _____
 CtRmDep _____
 Doc. No. _____

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
Eighth 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

Barbara S. Jones
United States District Court
Southern 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

Telephone: [202] 502-2800
Fax: [202] 502-2888
<http://www.jpml.uscourts.gov>

June 11, 2010

Loretta G. Whyte, Clerk
U.S. District Court
500 Poydras Street
Room C-151
New Orleans, LA 70130

Re: MDL No. 2116 -- IN RE: Apple iPhone 3G and 3GS "MMS" Marketing and Sales Practices Litigation

(See Attached CTO-4)

Dear Ms. Whyte:

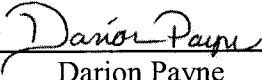
Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on May 27, 2010. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the 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
Case Administrator

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Carl J. Barbier

JPML Form 36A

PANEL SERVICE LIST (CTO-4)

Scott R. Bickford
MARTZELL & BICKFORD
338 Lafayette Street
New Orleans, LA 70130
sbickford@mbfirm.com

Timothy A. Engelmeyer
ENGELMEYER & PEZZANI LLC
13321 N. Outer Forty Road
Suite 300
Chesterfield, MO 63017
tim@epfirm.com

Mark J. Geragos
GERAGOS & GERAGOS
Engine Co. No. 28
644 South Figueroa Street
Los Angeles, CA 90017
geragos@geragos.com

Daniel L. Germain
ROSMAN & GERMAIN LLP
16311 Ventura Boulevard
Suite 1200
Encino, CA 91436-2152
germain@lalawyer.com

Ronnie Glynn Penton
LAW OFFICES OF RONNIE G PENTON
209 Hoppen Place
Bogalusa, LA 70427
fedcourtmail@rgplaw.

Penelope A. Prevolos
MORRISON & FOERSTER LLP
425 Market Street
32nd Floor
San Francisco, CA 94105
PPrevolos@mfo.com

Joel J. Schwartz
ROSENBLUM SCHWARTZ ROGERS GLASS PC
120 South Central Avenue
Suite 130
Clayton, MO 63105
jschwartz@rsrglaw.com

Kathleen T. Sooy
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004
ksooy@crowell.com

Brian R. Strange
STRANGE & CARPENTER
12100 Wilshire Boulevard
Suite 1900
Los Angeles, CA 90025
lacounsel@earthlink.net

David J. Tencza
40 Passaic Avenue
P.O. Box 358
Passaic, NJ 07055
david.tencza@yahoo.com

Steven N. Williams
COTCHETT PITRE & MCCARTHY
840 Malcolm Road
Suite 200
Burlingame, CA 94010
swilliams@cpmlegal.com