

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 09-3594 (DSD/TNL)

Dianna Clifton and
Ken Clifton,

Plaintiffs,

v.

ORDER

Novartis Pharmaceuticals
Corporation,

Defendant.

On October 28, 2014, the court requested briefing from the parties regarding whether transfer was appropriate under 28 U.S.C. § 1404(a) and, if so, to which district the action should be transferred. The parties concur that the case should be transferred to the United States District Court for the District of Arizona. The court agrees.

Transferring this case will promote the interests of justice and the convenience of the parties. Plaintiff Ken Clifton resides within the District Arizona.¹ The majority of Dianna Clifton's healthcare providers also reside in Arizona. The majority of events giving rise to this lawsuit occurred in Arizona. Indeed, defendant concedes that Arizona has the closest connection to this case. Moreover, neither party argues that a transfer will result

¹ Plaintiff Dianna Clifton died on August 10, 2010. Mr. Clifton maintains this action on his own behalf and on behalf of his wife.

in prejudice, and the court foresees none. The main effect of a transfer will be to place the parties in a forum that has some connection to the underlying dispute and is more convenient for the parties. As a result, transfer to the District of Arizona is the just outcome.

Accordingly, based upon the files, records, and proceedings herein, IT IS HEREBY ORDERED that this case is transferred to the United States District Court for the District of Arizona.

Dated: December 1, 2014

s/David S. Doty
David S. Doty, Judge
United States District Court