Herrera et al V. Toyota Motor Sales U.S.A., Inc. et al

DOC. 26

A CERTIFIED TRUE COPY ATTEST

By Debbie Nguyen on Sep 09, 2010

FOR THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL on MULTIDISTRICT LITIGATION

IN RE: TOYOTA MOTOR CORP. UNINTENDED ACCELERATION MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Aug 25, 2010

FILED CLERK'S OFFICE

8:10-m1-02151 JVS(FMX) MDL No. 2151 FILED - SOUTHERN DIVISION CLERK, U.S. DISTRICT COURT 10000 SEP - 9 2010 TRAL DISTRICT OF CALIFORNIA CÈ DEPUTY BY

CONDITIONAL TRANSFER ORDER (CTO-9)

On April 9, 2010, the Panel transferred six civil actions to the United States District Court for the Central District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d. (J.P.M.L. 2010). Since that time, 156 additional actions have been transferred to the Central District of California. With the consent of that court, all such actions have been assigned to the Honorable James V. Selna.

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

Pursuant to Rule 7.4 of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Central District of California for the reasons stated in the order of April 9, 2010, and, with the consent of that court, assigned to the Honorable James V. Selna.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Central District of California. 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. Sep 09, 2010 **CLERK'S OFFICE** UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi Clerk of the Panel

I hereby attest and certify on $\frac{9/13/10}{10}$ that the foregoing document is full, true and correct copy of the original on file in my office, and in my legal custody.

CLERK U.S. DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

Rolls Royce Paschal
DEPUTY CLERK



Dockets.Justia.com

MDL No. 2151

SCHEDULE CTO-9 - TAG-ALONG ACTIONS

DIST. DIV. C.A. # CASE CAPTION

FLORI	DA S	OUTHERN	
FLS	1	10-22785	Georges Vincent, et al. v. Toyota Motor Sales U.S.A., Inc. et al. kAcubro 1363 JVS (Filex)
FLS	9	10-80912	Edward Kline v. Stewart Agency, Inc. /SACVIO-01364 JVS(FUOx)
FLS	9	10-80929	Mary Patricia Ryan v. Morse Operations, Inc. /SACVIO-01365 -SVS (FWX)
ILLINC	DIS NO	ORTHERN	
ILN	1	10-4302	Willette Green v. Toyota Motor Sales, U.S.A., Inc. /SACVID-01366 JUS (FMOR)
ILN	1	10-4350	Ed Izenstark v. Toyota Motor Sales, U.S.A., Inc., et al. /54010-01367 Jus (FNQ)
LOUIS	IANA	EASTERN	
LAE	2	10-1995	Brenda A. Whaley, et al. v. Toyota Motor Corp., et al. /\$4010 - 01368 511 (tax)
LOUIS	IANA	WESTERN	
LAW		10-896	Michael Barzare, et al. v. Toyota Motor Sales U.S.A., Inc., et al./5'4010-61369
MARYLAND			
MD	8	10-1773	Ann Keller, et al. v. Toyota Motor Sales U.S.A., Inc./SACVID-01370 JUS (FMOX)
MICHIGAN EASTERN			
MIE	-2	10-12563	Michael Peterson v. Toyota Motor Sales U.S.A., Inc. Opposed 09/08/2010
NEVAI	DA		
NV	2	10-924	Wilma Herrera, et al. v. Toyota Motor Sales U.S.A., Inc., et al./SACNIO -0137-1 SVS (FMOX)
OHIO N	VORT	HERN	
OHN	1	10-1251	Joseph Buccier v. Toyota Motor Sales U.S.A., Inc./SACVID-01372 JUCFMOX)
OHN	1	10-1339	G&M Motors, Inc. v. Toyota Motor Sales U.S.A., Inc., et al/SACVID-01373 JUS (500)
OHIO S	SOUT	HERN	
OHS	1	10-364	Burnell Meeks v. Toyota Motor Sales U.S.A., Inc./SACVID-01374 JVJ (FMOX)
PENNSYLVANIA MIDDLE			
PAM	1	10-1327	Lisa A. Labar, etc. v. Toyota Motor Corp., et al. SACV/0-01375 JVS (FMDX)

MDL No. 2151 - Schedule CTO-9 - Tag-Along Actions (Continued)

<u>DIST.</u> <u>DIV.</u> <u>C.A.#</u> **CASE CAPTION**

PENNSYLVANIA WESTERN

N Robert Elmes v. Toyota Motor Manufacturing Kentucky, Inc., et al/S401/0-01376 JVS (FM0x) PAW 2 08-1300

TEXAS SOUTHERN

WVS 2

Brenda Bishop v. Gulf States Toyota, Inc., et al./SACV10~01377 JVS (FMOX) TXS 4 10-2477

WEST VIRGINIA SOUTHERN

Lana K. Pittman, et al. v. Toyota Motor Manufacturing, West/SACV10-01378 Virginia, Inc., et al. JVS (FMOX) 10-761

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

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September 9, 2010

DIRECT REPLY TO:

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Re: MDL No. 2151 -- IN RE: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation

(See Attached CTO-9)

Dear Ms. Nafisi:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on <u>August 25, 2010</u>. As stipulated in Rule 7.4(a) of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 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, judges and clerks are attached.

Very truly,

Jeffery N. Lüthi Clerk of the Panel

Bv

Debbie Nguyen Case Administrator

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge James V. Selna

JPML Form 36A

MDL No. 2151

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MDL No. 2151

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MDL No. 2151

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