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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SOUTHERN TERRACE HOMEOWNERS )  
ASSOCIATION, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
VIEGA, INC. et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

2:12-cv-00206-RCJ-GWF

**ORDER**

Pending before the Court is a motion to transfer the present action to the District of Minnesota pursuant to 28 U.S.C. § 1407. The motion is made by Mr. Tim George, who is not a party to the present case, but who is a party to a case in the District of Minnesota, *George v. Uponor, Inc.*, 012-cv-00249-ADM-JJK (the “MDL Case”). Mr. George has asked the Judicial Panel on Multidistrict Litigation (“JPML”) to transfer the present case to the MDL Case. As required by statute, he filed a copy of his motion in the present case, *see* 28 U.S.C. § 1407(c)(ii), but he filed the motion in the present case as a motion, not as a notice. Insofar as Mr. George asks this Court to transfer the present case to the MDL Case, his motion is denied for lack of jurisdiction. Mr. George must ask the JPML to transfer the present case under § 1407. Furthermore, only a party to the present case may ask the JPML to transfer the present case to the MDL Case, *see id.*, but this Court has no jurisdiction to deny the motion on that ground; that is for the JPML to decide.

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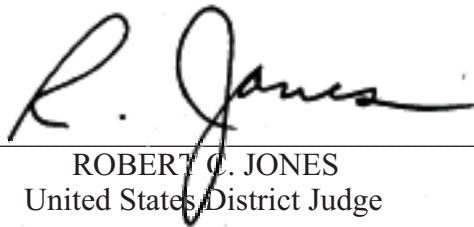
1 **CONCLUSION**

2 IT IS HEREBY ORDERED that the Motion to Transfer Pursuant to 28 U.S.C. § 1407  
3 (ECF No. 137) is DENIED for lack of jurisdiction.

4 IT IS FURTHER ORDERED that the Motion to Extend Time (ECF No. 135) is DENIED  
5 for the reasons given in Order No. 104 in *Waterfall Homeowners Association v. Viega, Inc.*, Case  
6 No. 2:11-cv-1498 and Order No. 259 in *Slaughter v. Uponor, Inc.*, Case No. 2:08-cv-1223.

7 IT IS SO ORDERED.

8 Dated this 27th day of July, 2012.

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11 ROBERT C. JONES  
12 United States District Judge  
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