

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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BEVERLY IFERGAN,

Plaintiff,

MEMORANDUM AND ORDER

-against-

10-CV-1116 (FB)

TOYOTA MOTOR SALES U.S.A., et al.,

Defendants.

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ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

One day after this Court granted defendant’s unopposed application to stay all proceedings in this case pending an order transferring the action, as part of a multidistrict litigation, to the Central District of California, see Order (May 4, 2010) (“May 4th Order”), counsel for plaintiff Beverly Ifergan belatedly filed a letter requesting that the Court deny defendant’s request to move for a stay and that the Court refuse to transfer the case. See Letter to the Court from Jack S. Dweck (May 5, 2010). Defendant now objects to plaintiff’s application on the ground that it is untimely and raises issues that, pursuant to 28 U.S.C. § 1407(a), should be addressed to the Judicial Panel on Multidistrict Litigation (the “JPML” or “Panel”) upon receipt of the Panel’s Conditional Transfer Order. See Letter to the Court from Steven R. Kramer (May 13, 2010).

Treating plaintiff’s application as a motion for reconsideration of the Court’s May 4th Order, and having considered the arguments advanced by plaintiff, the Court declines to

disturb its May 4th Order. For the reasons stated by defense counsel, plaintiff's arguments should be addressed to the JPML.

SO ORDERED.

**Dated: Brooklyn, New York
May 14, 2010**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**