

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

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>

August 18, 2008

Dennis P. Iavarone, Clerk
U.S. District Court
P.O. Box 25670
Raleigh, NC 27611

Re: MDL No. 1959 -- IN RE: Panacryl Sutures Products Liability Litigation

Dear Mr. Iavarone:

Attached as a separate document is a certified copy of a transfer order issued today by the Judicial Panel on Multidistrict Litigation in the above-captioned matter. The order is directed to you for filing. Rule 1.5 of the [Rules of Procedure of the Judicial Panel on Multidistrict Litigation](#), 199 F.R.D. 425, 428 (2001), states "A transfer or remand pursuant to 28 U.S. C. § 1407 shall be effective when the transfer or remand order is filed in the office of the clerk of the district court of the transferee district."

Today we are also serving an information copy of the order on the transferor court(s). 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 [transferor court]."

Rule 1.6(a), pertaining to transfer of files, states "the clerk of the transferor district court shall forward to the clerk of the transferee district court the complete original file and a certified copy of the docket sheet for each transferred action." **With the advent of electronic filing, many transferee courts have found that it is not necessary to request the original file. Some transferee courts will send their certified copy of the Panel order with notification of the newly assigned transferee court case number and inform the transferor courts that they will copy the docket sheet via PACER. Others may request a certified copy of the docket sheet and a copy of the complaint (especially if it was removed from state court). You should be specific as to the files you would like to receive from the transferor courts and if no files will be necessary, you should make that clear. Therefore, Rule 1.6(a) will be satisfied once a transferor court has complied with your request.**

You may find Chapter 7 of Volume 4 of the [Clerks Manual, United States District Courts](#) helpful in managing the your MDL docket.

The Panel Clerk's Office maintains the only statistical accounting of multidistrict litigation traffic in the federal courts. These statistics are used by the Administrative Office of the United States Courts and the Judicial


Conference. Therefore, your cooperation in keeping the Panel advised of the progress of this litigation would be appreciated. We are particularly interested in receiving the docket numbers assigned to each transferred action by your court; the caption and docket numbers of all actions originally filed in your district; and copies of orders regarding appointment of liaison counsel, settlements, dismissals, state court remands, and reassignments to other judges in your district.

Your attention is also directed to Panel Rule 7.6, regarding termination and remand of transferred actions. Upon notification from your court of a finding by the transferee judge suggesting to the Panel that Section 1407 remand of a transferred action is appropriate, this office will promptly file a conditional remand order.

Attached to this letter, for your information, is a copy of the Panel Attorney Service List and a listing of the transferor court clerks with respect to this order.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Dana L. Stewart
Deputy Clerk

Attachments (Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Terrence W. Boyle
Chief Judge Transferee District: Judge Louise W. Flanagan

**Judicial Panel on Multidistrict Litigation - Panel Attorney Service List
for
MDL 1959 - IN RE: Panacryl Sutures Products Liability Litigation**

***** Report Key and Title Page *****

Please Note: This report is in alphabetical order by the last name of the attorney. A party may not be represented by more than one attorney. See Panel rule 5.2(c).

Party Representation Key

* Signifies that an appearance was made on behalf of the party by the representing attorney.
Specified party was dismissed in some, but not all, of the actions in which it was named as a party.
All counsel and parties no longer active in this litigation have been suppressed.

This Report is Based on the Following Data Filters

Docket: 1959 - Panacryl Sutures PL
For Open Cases

Docket: 1959 - IN RE: Panacryl Sutures Products Liability Litigation

Status: Transferred on 08/18/2008

Transferee District: NCE Judge: Boyle, Terrence W.

Printed on 08/18/2008

ATTORNEY - FIRM**REPRESENTED PARTY(S)**

Cowan, Jr., J. Donald
ELLIS & WINTERS
P.O. Box 33550
Cary, NC 27518

=>Phone: (919) 865-7040 Fax: (919) 865-7010 Email: don.cowan@elliswinters.com
Ethicon, Inc.*; Johnson & Johnson*; Johnson & Johnson Health Care Systems, Inc.*

Kelsey, Jane S.
LUM DRASCO & POSITAN LLC
103 Eisenhower Parkway
Roseland, NJ 07068

=>Phone: (973) 403-9000 Fax: (973) 403-9021 Email: jkelsey@lumlaw.com
Johnson, Alyssa*; Johnson, David*; Rondot, Denise*; Thompson, Maureen*; Vermilyea, David*;
Vermilyea, Sandra*

Marlin, Russell
GARY EUBANKS & ASSOCIATES
P.O. Box 3887
Little Rock, AR 72203-3887

=>Phone: (501) 372-0266 Fax: (501) 372-2249 Email: marlinr@garyeubanks.com
Bishop, Betty Ann*; Bishop, James C.*

Shaw, Franklin G.
LEGER & SHAW
512 East Boston Street
Covington, LA 70433

=>Phone: (985) 809-6625 Fax: (985) 809-6626 Email: fshaw@legershaw.com
Truxillo, Losanna*

Talley, Stuart C.
KERSHAW CUTTER & RATINOFF LLP
401 Watt Avenue
Sacramento, CA 95864

=>Phone: (916) 448-9800 Fax: (916) 669-4499 Email: stalley@kcrlegal.com
Bledy, Christine L.*; Bledy, Leslie A.*

Toma, John E.
TOMA ZENSEN LLC
34 North Brentwood Blvd.
Suite 210
St. Louis, MO 63105

=>Phone: (314) 361-1600 Fax: (314) 631-1612 Email: jtoma@tomazensen.com
Herring, Perlene*; Locklear, Lisa M.*

Waddell, Paul D.
BARRETT & DEACON
P.O. Box 1700
Jonesboro, AR 72403

=>Phone: (870) 931-1700 Fax: (870) 931-1800 Email: pwaddell@barrettdeacon.com
St. Bernard's Hospital, Inc. dba St. Bernard's Medical Center*

INVOLVED CLERKS LIST

James W. McCormack, Clerk
402 U.S. Post Office & Courthouse
600 West Capitol Avenue
Little Rock, AR 72201-3325
AREDb_prempro_mdclerk/ARED/08/USCOURTS

Loretta G. Whyte, Clerk
U.S. District Court
500 Poydras Street
Room C-151
New Orleans, LA 70130
LAEDdb_LAEDMDL/LAED/05/USCOURTS

Sherri R. Carter, Clerk
G-8 U.S. Courthouse
312 North Spring Street
Los Angeles, CA 90012
MDLClerk/CACD/09/USCOURTS

William T. Walsh, Clerk
2020 Clarkson S. Fisher Fed. Bldg. & U.S. Courthouse
402 East State Street
Trenton, NJ 08608
NJDb_MDLclerk/njd/03/USCOURTS