

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
 Judge Wm. Terrell Hodges  
 United States District Court  
 Middle District of Florida

**MEMBERS:**  
 Judge D. Lowell Jensen  
 United States District Court  
 Northern District of California

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

Judge Anthony J. Scirica  
 United States Court of Appeals  
 Third 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>

April 12, 2007

**NOTICE OF HEARING SESSION**

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

**DATE OF HEARING SESSION:** May 31, 2007

**LOCATION OF HEARING SESSION:** Lloyd D. George United States Courthouse  
 Courtroom 7C, 7th Floor  
 333 Las Vegas Boulevard South  
 Las Vegas, Nevada 89101

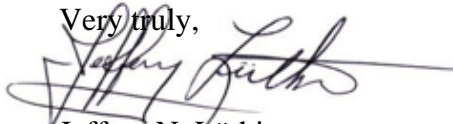
**TIME OF HEARING SESSION:** In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

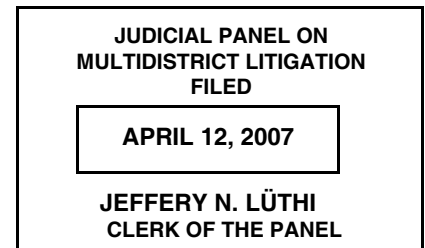
For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **May 14, 2007**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,



Jeffery N. Lüthi  
 Clerk of the Panel

c: Clerk, U.S. District Court for the District of Nevada



***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***WM. TERRELL HODGES, CHAIRMAN, D. LOWELL JENSEN, J.  
FREDERICK MOTZ, ROBERT L. MILLER, JR., KATHRYN H. VRATIL,  
DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE  
PANEL***

**HEARING SESSION ORDER**

IT IS ORDERED that on May 31, 2007, a hearing session will be held in Las Vegas, Nevada, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:



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Wm. Terrell Hodges  
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION  
May 31, 2007 -- Las Vegas, Nevada

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

MDL-1835 -- In re Brian L. Roberts Litigation

Motion of plaintiff Brian L. Roberts for centralization of the following actions in the United States District Court for the Southern District of New York:

Southern District of New York

*Brian L. Roberts v. Sony Corp., et al.*, C.A. No. 1:06-6337

District of Utah

*Brian L. Roberts v. Sony, et al.*, C.A. No. 2:04-673

MDL-1836 -- In re Mirapex Products Liability Litigation

Motion of defendants Boehringer Ingelheim Pharmaceuticals, Inc., and Pfizer Inc. for centralization of the following actions in the United States District Court for the Southern District of New York or, in the alternative, the United States District Court for the District of Connecticut or other suitable United States district court:

Northern District of California

*Therese Bottiglieri v. Pfizer Inc., et al.*, C.A. No. 3:06-3248

District of Maryland

*William David Livingston, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 1:06-1887

District of Minnesota

*Gary Selinsky, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-873

*Robert M. Zwayer, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-874

Schedule of Matters for Hearing Session, Section A  
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MDL-1836 (Continued)

District of Minnesota (Continued)

*Michael A. Dubaich, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-875  
*Donald J. Nelsen v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-876  
*Larry Webb, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-898  
*Timothy Harms v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-899  
*Timothy L. Estep v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-900  
*Mary Conway v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-901  
*Dennis M. Scharpen, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-1206  
*Gary E. Charbonneau, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-1215  
*Todd R. Cain v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-1582  
*Manuel A. Quintela, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-1675  
*Thaddeus R. Fayard v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2144  
*Hylton H. Dodd v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2145  
*Michael W. Averitt, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2194  
*William F. Courtney, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2546  
*Richard I. Bloom, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2577  
*Joyce A. Anderson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2578  
*Kathleen R. Frye, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2662  
*Cynthia Harris, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3009

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MDL-1836 (Continued)

District of Minnesota (Continued)

*Daniel M. Hayward, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3180  
*Daniel F. Neal v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-3182  
*Peggy J. Bronson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3254  
*Theresa R. Seaman, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3255  
*Madeline J. Vingers v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3284  
*Irene M. Conejo v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3519  
*Melody S. Erickson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3526  
*Alan Kite, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3527  
*George P. Wagner v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3537  
*Gordon J. Haughey, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3539  
*Stella C. Rush, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3544  
*Carl M. Milam, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3778  
*Floyd Wayne Kanuch v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3839  
*Rick James Berger v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4358  
*Mark Mayer v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-4366  
*Resa King, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4502  
*George Konrad v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4699  
*Steven Purser, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4783

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MDL-1836 (Continued)

District of Minnesota (Continued)

*Barbara Goldman, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4784  
*James Holmes, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4785  
*Florene D. Saracco v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4827  
*Greg Stutz v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-4828  
*Thomas M. Celorie v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4868  
*Maryann J. Deleo, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4869  
*William Chamberlain, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4870  
*Ronald P. Markel, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4871  
*Hilarie Pearce v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-4944  
*Linda Michels, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4945  
*David Emery, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4946  
*Richard Scott Brown v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4947  
*William Gage, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4948  
*Carolyn Paulette Shows, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4949  
*Michele C. Glancy, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-5123  
*Tza Ping Aliya Lee, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:07-39

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MDL-1836 (Continued)

Western District of Missouri

*Wayne Jackson, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 4:06-969

Western District of Washington

*Matthew Andresen, et al. v. Pfizer Inc., et al.*, C.A. No. 2:06-1413

MDL-1837 -- In re BMW Subframe Marketing and Sales Practices Litigation

Motion of plaintiff Scott Halperin for centralization of the following actions in the United States District Court for the District of New Jersey:

Central District of California

*Eric Bacca, et al. v. BMW of North America, LLC*, C.A. No. 2:06-6753

Middle District of Florida

*Frances Perrone v. BMW of North America, LLC*, C.A. No. 8:06-2045

Southern District of Mississippi

*Jaime Moore v. BMW of North America, LLC*, C.A. No. 4:06-139

District of New Jersey

*Lyndsay Alpert, et al. v. BMW of North America, LLC*, C.A. No. 2:06-5198

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MDL-1838 -- In re TJX Companies, Inc., Customer Data Security Breach Litigation

Motion of plaintiffs Julie Buckley, et al., for centralization of the following actions in the United States District Court for the District of Massachusetts:

Northern District of Alabama

*Jo Wood, et al. v. TJX, Inc., et al.*, C.A. No. 2:07-147

District of Massachusetts

*Paula G. Mace v. TJX Companies, Inc.*, C.A. No. 1:07-10162

*Amerifirst Bank v. TJX Companies, Inc., et al.*, C.A. No. 1:07-10169

*Julie Buckley, et al. v. TJX Companies, Inc.*, C.A. No. 1:07-10209

*Thomas J. Gaydos v. TJX Companies, Inc., et al.*, C.A. No. 1:07-10217

District of Puerto Rico

*Patricia Miranda, et al. v. TJX, Inc., et al.*, C.A. No. 3:07-1075

MDL-1839 -- In re Pro Tem Partners, Inc., and Semico Research Corp. Contract Litigation

Motion of Pro Tem Partners, Inc., for centralization of the following actions in the United States District Court for the District of Massachusetts:

District of Arizona

*Semico Research Corp. v. Jan-Charles Fine, et al.*, C.A. No. 2:06-2475

District of Massachusetts

*Pro Tem Partners, Inc. v. Semico Research Corp.*, C.A. No. 1:05-11822



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MDL-1840 -- In re Motor Fuel Temperature Sales Practices Litigation

Motion of defendants Exxon Mobil Corp.; Hess Corp.; and Motiva Enterprises LLC for centralization of the following actions in the United States District Court for the District of New Jersey:

Northern District of California

*Mark Rushing, et al. v. Alon USA, Inc., et al.*, C.A. No. 3:06-7621

District of Kansas

*Zachary Wilson, et al. v. Ampride, Inc., et al.*, C.A. No. 2:06-2582  
*American Fiber & Cabling LLC, et al. v. BP Corp. North America, Inc., et al.*,  
C.A. No. 2:07-2053

Western District of Kentucky

*Keen Exploration, LLC, et al. v. Amoco Oil Co., et al.*, C.A. No. 5:07-14

Western District of Missouri

*Victor VanDyne v. Murphy Oil USA, Inc., et al.*, C.A. No. 2:06-4302  
*Ditzfeld Transfer, Inc. v. Pilot Travel Centers, LLC, et al.*, C.A. No. 2:07-4025  
*James Vanderbilt v. BP Corp. North America, Inc., et al.*, C.A. No. 4:06-1052  
*Brent Donaldson, et al. v. BP Corp. North America, Inc., et al.*, C.A. No. 4:07-93

District of New Jersey

*Richard Galauski, et al. v. Amerada Hess Corp., et al.*, C.A. No. 3:06-6005

Western District of Oklahoma

*Craig Massey, et al. v. BP Corp. North America, Inc., et al.*, C.A. No. 5:07-102  
*Cynthia J. Cary, et al. v. BP Corp. North America, Inc., et al.*, C.A. No. 5:07-155

Western District of Tennessee

*Diane Foster, et al. v. BP North America Petroleum, Inc., et al.*, C.A. No. 2:07-2059

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MDL-1841 -- In re Wells Fargo Loan Processor Overtime Pay Litigation

Motion of defendant Wells Fargo Home Mortgage for centralization of the following actions in the United States District Court for the District of Kansas:

Northern District of California

*Mary Basore, et al. v. Wells Fargo Home Mortgage, et al.*, C.A. No. 3:07-461

District of Kansas

*Trudy Bowne, et al. v. Wells Fargo Home Mortgage*, C.A. No. 2:06-2020

MDL-1842 -- In re Kugel Mesh Hernia Patch Products Liability Litigation

Motion of plaintiffs Sonia Montiel, et al., for centralization of certain of the following actions in the United States District Court for the District of Rhode Island and motion of plaintiffs Lilyan Kathleen Hall, et al., for centralization of the following actions in the United States District Court for the Northern District of Alabama:

Northern District of Alabama

*Lilyan Kathleen Hall, et al. v. Davol, Inc., et al.*, C.A. No. 3:07-480

Eastern District of Arkansas

*Carolene Jean Carter v. Davol, Inc., et al.*, C.A. No. 4:06-1012

Western District of Arkansas

*Mary Jane Campbell v. Davol, Inc., et al.*, C.A. No. 5:06-5154

Eastern District of California

*Daniel Poston, et al. v. Davol, Inc.*, C.A. No. 2:07-32

Northern District of Florida

*Jane R. Wilson v. Davol, Inc., et al.*, C.A. No. 3:06-541

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MDL-1842 (Continued)

Central District of Illinois

*James Daniel Mathien v. Davol, Inc., et al.*, C.A. No. 2:07-2031

Eastern District of Missouri

*Timothy J. Edgar v. Davol, Inc.*, C.A. No. 4:06-1471

District of New Jersey

*Jenine Von Essen v. C.R. Bard, Inc., et al.*, C.A. No. 2:06-4786

Eastern District of New York

*Thomas D. Hyland, et al. v. Davol, Inc., et al.*, C.A. No. 2:07-1054

Southern District of New York

*Sophia Katechis, et al. v. Davol, Inc., et al.*, C.A. No. 1:07-2098

Northern District of Ohio

*Richard H. Sayler, et al. v. Davol, Inc., et al.*, C.A. No. 1:07-765

District of Rhode Island

*Sonia Montiel, et al. v. Davol, Inc., et al.*, C.A. No. 1:07-64

Middle District of Tennessee

*George Andrew Luffman v. C.R. Bard, Inc., et al.*, C.A. No. 3:07-243

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MDL-1843 -- In re Schering Marketing and Sales Practices Litigation

Motion of plaintiff United American Insurance Company for centralization of the following actions in the United States District Court for the Eastern District of Pennsylvania:

District of New Jersey

*International Brotherhood of Teamsters Local No. 331 Health & Welfare Trust Fund v. Schering-Plough Corp.*, C.A. No. 2:06-5774

Eastern District of Pennsylvania

*Blue Cross & Blue Shield of Alabama v. Schering-Plough Corp., et al.*,  
C.A. No. 2:07-568

*United American Insurance Co. v. Schering-Plough Corp., et al.*, C.A. No. 2:07-702

MDL-1844 -- In re Air Crash Near Peixoto de Azeveda, Brazil, on September 29, 2006

Motion of plaintiff Zita Swensson de Mattos for centralization of the following actions in a single United States district court:

Central District of California

*Maria Jose Miranda Bermudes Abreu, et al. v. ExcelAire Service, Inc., et al.*,  
C.A. No. 2:07-1296

Middle District of Florida

*Suely de Castro Alves Miranda, etc. v. Joseph Lepore, et al.*, C.A. No. 6:07-283

Eastern District of Missouri

*Bianca Pi Hancock, etc. v. ExcelAire Services, Inc., et al.*, C.A. No. 4:07-372

Eastern District of New York

*Patricia Abrahim Barbosa Garcia, et al. v. ExcelAire Service, Inc., et al.*,  
C.A. No. 1:06-5964

*Mario De Abreu Lleras, et al. v. ExcelAire Service, Inc., et al.*, C.A. No. 2:06-6083

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MDL-1844 (Continued)

Southern District of New York

*Zita Swensson de Mattos, etc. v. ExcelAire Services, Inc., et al.*, C.A. No. 1:07-948

MDL-1845 -- In re ConAgra Peanut Butter Products Liability Litigation

Motion of plaintiffs Grady Ware, et al., for centralization of certain of the following actions in the United States District Court for the Northern District of Georgia; motion of plaintiffs Thomas B. Price, Annie Blackwell, and Jamie S. Jeffords for centralization of certain of the following actions in the United States District Court for the District of South Carolina; and motion of plaintiff Pamela Gateley, etc., for centralization of certain of the following actions in a single United States district court:

Middle District of Florida

*Marion Caldarera v. ConAgra Foods, Inc., et al.*, C.A. No. 8:07-384

Southern District of Florida

*Charles Stafford v. ConAgra Foods, Inc.*, C.A. No. 9:07-80178

Middle District of Georgia

*Karen Klepsig, et al. v. ConAgra Foods, Inc.*, C.A. No. 1:07-37  
*Geoffrey Midler v. ConAgra Foods, Inc.*, C.A. No. 1:07-42

Northern District of Georgia

*Anne Cease, et al. v. ConAgra Foods, Inc.*, C.A. No. 1:07-425  
*John Harper v. ConAgra Foods, Inc.*, C.A. No. 1:07-538  
*Grady Ware, et al. v. ConAgra Foods, Inc.*, C.A. No. 4:07-40

Northern District of Mississippi

*Pamela Gateley, etc. v. ConAgra Foods, Inc.*, C.A. No. 2:07-35

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MDL-1845 (Continued)

Western District of Missouri

*Brian Cox, et al. v. ConAgra Foods, Inc.*, C.A. No. 5:07-6027

Western District of New York

*Mark Avalone, et al. v. ConAgra Foods, Inc.*, C.A. No. 6:07-6084

Eastern District of Oklahoma

*Irene Clandord v. ConAgra Foods, Inc.*, C.A. No. 6:07-56

Eastern District of Pennsylvania

*Lucille A. Knight v. ConAgra Foods, Inc.*, C.A. No. 2:07-818

Middle District of Pennsylvania

*Kathleen Nieves, et al. v. ConAgra Foods, Inc.*, C.A. No. 3:07-327

District of South Carolina

*Annie Blackwell v. ConAgra Foods, Inc.*, C.A. No. 0:07-529

*Thomas B. Price v. ConAgra Foods, Inc.*, C.A. No. 3:07-536

*Jerry Shawn Medford v. ConAgra Foods, Inc.*, C.A. No. 3:07-611

*Jamie S. Jeffords v. ConAgra Foods, Inc.*, C.A. No. 4:07-530

*Jennifer Ann Hoey, et al. v. ConAgra Foods, Inc.*, C.A. No. 7:07-544

Eastern District of Tennessee

*Cynthia Woodlee, et al. v. ConAgra Foods, Inc.*, C.A. No. 4:07-15

Western District of Washington

*James Winston Daniels, II, et al. v. ConAgra, Inc.*, C.A. No. 2:07-259

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MDL-1846 -- In re Trade Partners, Inc., Investors Litigation

Motion of defendants Macatawa Bank Corp. and Macatawa Bank for centralization of the following actions in the United States District Court for the Western District of Michigan or, in the alternative, the United States District Court for the Western District of Oklahoma:

Central District of California

*James Lee, et al. v. Macatawa Bank Corp., et al.*, C.A. No. 2:06-8009

Western District of Michigan

*Forrest W. Jenkins, et al. v. Macatawa Bank Corp., et al.*, C.A. No. 1:03-321

Western District of Oklahoma

*Steven M. Adamson, et al. v. Macatawa Bank Corp., et al.*, C.A. No. 5:06-1267  
*Eddie Elkins, et al. v. Macatawa Bank Corp.*, C.A. No. 5:07-109

Northern District of Texas

*Frank V. Bailey, et al. v. Macatawa Bank Corp.*, C.A. No. 3:06-2193

MDL-1847 -- In re Tayssoun Transportation, Inc., and Dallas & Mavis Specialized Carrier Co., LLC, Contract Litigation

Motion of plaintiff Tayssoun Transportation, Inc., for centralization of the following actions in the United States District Court for the Southern District of Texas:

Northern District of Texas

*Dallas & Mavis Specialized Carrier Co., LLC v. Pacific Motor Transport Co., et al.*,  
C.A. No. 3:06-1922

Southern District of Texas

*Tayssoun Transportation, Inc. v. Dallas & Mavis Specialized Carrier Co., LLC*,  
C.A. No. 4:06-3463

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MDL-1848 -- In re Rembrandt Technologies, LP, Patent Litigation

Motion of defendant CoxCom, Inc., for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

*Rembrandt Technologies, LP v. Cablevision Systems Corp., et al.*, C.A. No. 1:06-635  
*Coxcom, Inc. v. Rembrandt Technologies, LP*, C.A. No. 1:06-721  
*Rembrandt Technologies, LP v. CBS Corp.*, C.A. No. 1:06-727  
*Rembrandt Technologies, LP v. NBC Universal, Inc.*, C.A. No. 1:06-729  
*Rembrandt Technologies, LP v. ABC, Inc.*, C.A. No. 1:06-730  
*Rembrandt Technologies, LP v. Fox Entertainment Group, Inc., et al.*, C.A. No. 1:06-731

Southern District of New York

*Rembrandt Technologies, LP v. Adelphia Communications Corp., et al.*,  
Bky. Advy. No. 1:06-1739  
*Rembrandt Technologies, LP v. Adelphia Communications Corp.*, C.A. No. 1:07-214

Eastern District of Texas

*Rembrandt Technologies, LP v. Comcast Corp., et al.*, C.A. No. 2:05-443  
*Rembrandt Technologies, LP v. Sharp Corp., et al.*, C.A. No. 2:06-47  
*Rembrandt Technologies, LP v. Charter Communications, Inc., et al.*, C.A. No. 2:06-223  
*Rembrandt Technologies, LP v. Time Warner Cable, Inc.*, C.A. No. 2:06-224  
*Rembrandt Technologies, LP v. Time Warner Cable, Inc.*, C.A. No. 2:06-369  
*Rembrandt Technologies, LP v. Comcast Corp., et al.*, C.A. No. 2:06-506  
*Rembrandt Technologies, LP v. Charter Communications, Inc., et al.*, C.A. No. 2:06-507

MDL-1849 -- In re C.H. Robinson Worldwide, Inc., Overtime Pay Litigation

Motion of plaintiffs for centralization of the following actions in the United States District Court for the Northern District of Illinois or, in the alternative, the United States District Court for the District of Minnesota:

Northern District of Alabama

*Donna Eddy, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 2:06-4926



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MDL-1849 (Continued)

Central District of California

*Mimi Vuong v. C.H. Robinson Worldwide, Inc.*, C.A. No. 2:07-1428  
*Nancy Austin, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 8:07-301

Eastern District of California

*Gladys Garcia, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:07-157

Northern District of California

*Kimberly Elam, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 4:07-475

Northern District of Georgia

*Terri Kuvach, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:07-328

Northern District of Illinois

*Evelyn Sparks, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6461  
*Cheryl D. Braithwaite, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6462  
*Lynn A. Amorose, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6463  
*Angela L. Jacobson v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6465  
*Scott D. Hyder, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6503  
*Anne K. Ciaglia, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6507  
*Joann M. McGill, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6510  
*Richard Cahn, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6512  
*Jason K. Bergquist, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6515  
*Craig Bowen, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6516  
*Christopher L. Sims, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6520  
*Shannon D. Anderson, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6527  
*Nora Hageman, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6530  
*Brenda Mitchell, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6538  
*Lynette DiNova, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6545  
*Joanna Elke, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6552

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Northern District of Illinois (Continued)

*Roy Rogenic, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6553  
*LaToya R. McCants, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6556  
*Michael Blackburn v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6563  
*Sharon K. Dodson-McDonald, et al. v. C.H. Robinson Worldwide, Inc.*,  
C.A. No. 1:06-6564  
*Patricia A. Parrish, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6568  
*Brendan M. Clarke, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6581  
*Amber Vandersommen, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6582  
*Leslie Nemelka, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6623  
*Kari S. Johnson, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6629  
*Ariel B. Crotty, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6630  
*Wendy L. Ferger, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6632  
*Laura J. Jeneault, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6634  
*Heidi Michelle Poepsel v. C.H. Robinson Worldwide, Inc.*, C.A. No. 1:06-6664

Southern District of Indiana

*Catherine A. Wilcox v. C.H. Robinson Worldwide, Inc.*, C.A. No. 3:06-197

District of Kansas

*Kimberly K. Bethel, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 2:07-2129  
*Lisa M. Quigley, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 6:07-1063

Eastern District of Louisiana

*Morgan J. Wood, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 2:07-1269

Eastern District of Michigan

*Carla M. Strugala v. C.H. Robinson Worldwide, Inc.*, C.A. No. 5:07-10767

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MDL-1849 (Continued)

District of Minnesota

*Jamie L. Benner, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4640  
*Justin Accola, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4643  
*Jeffrey Cichosz, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4644  
*William F. Holmberg, Jr. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4645  
*Elizabeth Marianne Buck, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4646  
*Penny M. Cantazaro, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4647  
*Kathy Cota, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4648  
*Jill K. East, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4649  
*Kathleen L. Hambleton, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4650  
*Elizabeth Hopp v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4651  
*Joann F. Larson v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4652  
*Kelley S. Lyons, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4653  
*Kimberly M. Martineau, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4654  
*Sandra Steinmetz, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4655  
*John Gino Giovannoni v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:06-4960  
*Sally J. Dowden, et al., C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-89  
*Amelia M. Alfaro, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-90  
*Jennifer L. Alfano, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-251  
*Claudia Alicia Martinez, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-542  
*Jennifer N. Mcinnis v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-544  
*Beth Shaw, et al v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-595  
*Shannon Davis v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-1119  
*Esther Nevarez, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 0:07-1563

Eastern District of Missouri

*Heather Lee Markle, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 4:07-428

Northern District of Ohio

*Julie Gallagher, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 5:07-846

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MDL-1849 (Continued)

Western District of Oklahoma

*Timothy J. Bumgarner, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 5:07-278

District of Oregon

*Allison M. Cassie, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 3:07-333

District of South Carolina

*Rodney Brewer, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 3:06-3595

District of South Dakota

*Angela K. Smoot v. C.H. Robinson Worldwide, Inc.*, C.A. No. 4:07-4038

Eastern District of Tennessee

*Carolyn Baker Hall, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 3:07-46

Eastern District of Texas

*Aaron Smith, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 4:07-1

Northern District of Texas

*Stephanie Smith, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 3:07-409

Western District of Texas

*Adelita Dickson, et al. v. C.H. Robinson Worldwide, Inc.*, C.A. No. 5:07-186

Eastern District of Wisconsin

*Kelly K. Hoell v. C.H. Robinson Worldwide, Inc.*, C.A. No. 2:07-267

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MDL-1850 -- In re Pet Food Products Liability Litigation

Motion of plaintiff Shirley Sexton for centralization of certain of the following actions in the United States District Court for the Central District of California; motion of plaintiff Christina Troiano for centralization of certain of the following actions in the United States District Court for the Southern District of Florida; and motion of plaintiffs Tom Whaley; Stacey Heller, et al.; Audrey Kornelius, et al.; Suzanne E. Johnson, et al.; and Michele Suggett, et al., for centralization of the following actions in the United States District Court for the Western District of Washington:

Western District of Arkansas

*Charles Ray Sims, et al. v. Menu Foods Income Fund, et al.*, C.A. No. 5:07-5053  
*Richard Scott Widen, et al. v. Menu Foods, Inc., et al.*, C.A. No. 5:07-5055

Central District of California

*Shirley Sexton v. Menu Foods Income Fund, et al.*, C.A. No. 2:07-1958

District of Connecticut

*Lauri A. Osborne v. Menu Foods, Inc.*, C.A. No. 3:07-469

Southern District of Florida

*Christina Troiano v. Menu Foods, Inc., et al.*, C.A. No. 0:07-60428

Northern District of Illinois

*Dawn Majerczyk v. Menu Foods, Inc.*, C.A. No. 1:07-1543

District of New Jersey

*Jared Workman, et al. v. Menu Foods Ltd., et al.*, C.A. No. 1:07-1338

Eastern District of Tennessee

*Lizajeane Holt v. Menu Foods, Inc.*, C.A. No. 3:07-94

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MDL-1850 (Continued)

Western District of Washington

*Tom Whaley v. Menu Foods, Inc., et al.*, C.A. No. 2:07-411

*Stacey Heller, et al. v. Menu Foods*, C.A. No. 2:07-453

*Audrey Kornelius, et al. v. Menu Foods*, C.A. No. 2:07-454

*Suzanne E. Johnson, et al. v. Menu Foods*, C.A. No. 2:07-455

*Michele Suggett, et al. v. Menu Foods, et al.*, C.A. No. 2:07-457

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**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs and defendant Rowan Companies, Inc., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Western District of Arkansas

*Eddie Joe Wooten, et al. v. CertainTeed Corp., et al.*, C.A. No. 2:07-2004

Northern District of California

*Carla Groce, et al. v. Todd Shipyards Corp., et al.*, C.A. No. 3:07-241  
*Geraldine Burton, et al. v. A.W. Chesterton Co., et al.*, C.A. No. 3:07-702

Southern District of Illinois

*Jack Franklin v. CSX Transportation, Inc.*, C.A. No. 3:06-1058

Eastern District of Louisiana

*Melvin Raymond v. Borden, Inc., et al.*, C.A. No. 2:06-11140

Middle District of Louisiana

*Teressa Bell, etc. v. Rowan Companies, Inc., et al.*, C.A. No. 3:06-785  
*Aurelie Breau Waguespack, et al. v. Anco Insulations, Inc., et al.*, C.A. No. 3:06-965

Western District of Louisiana

*Daniel Jarrell v. Franks Petroleum, Inc., et al.*, C.A. No. 6:06-2190

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MDL-875 (Continued)

District of Maryland

*Linda Hudson, et al. v. Rapid-American Corp., et al.*, C.A. No. 1:06-3319

Southern District of New York

*Talbot P. Frawley, et al. v. General Electric Co., et al.*, C.A. No. 1:06-15395

MDL-1335 -- In re Tyco International, Ltd., Securities, Derivative & "ERISA" Litigation

Opposition of plaintiffs Scott Davis, et al., to transfer of the following action to the United States District Court for the District of New Hampshire:

Northern District of Illinois

*Scott Davis, et al. v. Dennis Kozlowski, et al.*, C.A. No. 1:07-227

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Opposition of plaintiff Leonie Moise, etc., to transfer of the following action to the United States District Court for the Southern District of Indiana:

Middle District of Florida

*Leonie Moise, etc. v. Bridgestone/Firestone North American Tire, LLC*,  
C.A. No. 2:06-675



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MDL-1373 (Continued)

Oppositions of defendants Bridgestone Firestone North American Tire, LLC and Ford Motor Company to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Western District of Arkansas:

Southern District of Indiana

*Susan Janssen, etc. v. Bridgestone/Firestone North American Tire, LLC, et al.*,  
C.A. No. 1:04-5811 (W.D. Arkansas, C.A. No. 2:04-2164)

MDL-1409 -- In re Currency Conversion Fee Antitrust Litigation

Opposition of plaintiff Kyle Sandera to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of California

*Kyle Sandera v. Bank of America Corp., et al.*, C.A. No. 3:07-34

MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

Opposition of plaintiff The State of Idaho to transfer of the following action to the United States District Court for the District of Massachusetts:

District of Idaho

*State of Idaho v. Abbott Laboratories*, C.A. No. 1:07-93

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MDL-1566 -- In re Western States Wholesale Natural Gas Antitrust Litigation

Motion of defendant Reliant Energy Services, Inc., to transfer the following action to the United States District Court for the District of Nevada:

Western District of Wisconsin

*Arandell Corp., et al. v. Xcel Energy, Inc., et al.*, C.A. No. 3:07-76

MDL-1596 -- In re Zyprexa Products Liability Litigation

Motions of defendant Eli Lilly & Company to transfer the following actions to the United States District Court for the Eastern District of New York:

District of South Carolina

*Samuel Davis v. Eli Lilly & Co.*, C.A. No. 3:06-2312

*Kimberly J. Johnson, et al. v. Ricardo Jose Fermo, M.D., et al.*, C.A. No. 4:06-2994

MDL-1604 -- In re Ocwen Federal Bank FSB Mortgage Servicing Litigation

Oppositions of plaintiffs Mary Brown; Linda Fleshman; David Waters, Sr., et al.; Donald Moden, et al.; Annette Miranda; and Stanley C. Beardslee, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

Eastern District of Texas

*Mary Brown v. Ocwen Loan Servicing, LLC, et al.*, C.A. No. 1:07-92

Northern District of Texas

*Linda Fleshman v. Ocwen Loan Servicing, LLC, et al.*, C.A. No. 4:07-108

Western District of Texas

*David Waters, Sr., et al. v. Ocwen Financial Corp., et al.*, C.A. No. 1:07-61

*Donald Moden, et al. v. Ocwen Financial Corp., et al.*, C.A. No. 1:07-62

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MDL-1604 (Continued)

Western District of Texas (Continued)

*Annette Miranda v. Ocwen Financial Corp., et al.*, C.A. No. 5:07-34

*Stanley C. Beardslee, et al. v. Ocwen Loan Servicing, LLC, et al.*, C.A. No. 5:07-137

MDL-1626 -- In re Accutane Products Liability Litigation

Opposition of defendant Hoffman-La Roche, Inc., to transfer of the following action to the United States District Court for the Middle District of Florida:

Eastern District of Pennsylvania

*Darrell W. Borum, Jr. v. Hoffmann-La Roche, Inc., et al.*, C.A. No. 2:07-94

MDL-1657 -- In re Vioxx Marketing, Sales Practices and Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Central District of California

*Ruby Lois Moore Estate, etc. v. Merck & Co., Inc.*, C.A. No. 2:06-7548

Eastern District of California

*Mosetta Bernstine v. Merck & Co., Inc., et al.*, C.A. No. 2:07-34

*Katherine Harrison v. Merck & Co., Inc., et al.*, C.A. No. 2:07-42

*James Daniels, Jr. v. Merck & Co., Inc., et al.*, C.A. No. 2:07-48

*Barbara Ford-Daniels v. Merck & Co., Inc., et al.*, C.A. No. 2:07-51

*Lynn Franklin v. Merck & Co., Inc., et al.*, C.A. No. 2:07-57

*Irma Franklin v. Merck & Co., Inc., et al.*, C.A. No. 2:07-58

*Carolyn Lee Wilson v. Merck & Co., Inc., et al.*, C.A. No. 2:07-61

*Mary Ann Harris v. Merck & Co., Inc., et al.*, C.A. No. 2:07-67

*John Wilson v. Merck & Co., Inc., et al.*, C.A. No. 2:07-68

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MDL-1657 (Continued)

Eastern District of California (Continued)

*Ishmael Haqq v. Merck & Co., Inc., et al.*, C.A. No. 2:07-73  
*David Tenn, etc. v. Merck & Co., Inc., et al.*, C.A. No. 2:07-75  
*Estate of Juanita Battle v. Merck & Co., Inc., et al.*, C.A. No. 2:07-77  
*Denise Denison v. Merck & Co., Inc., et al.*, C.A. No. 2:07-79

Northern District of California

*Dorothy Shanks v. Merck & Co., Inc., et al.*, C.A. No. 3:07-65  
*Stanford Johnson v. Merck & Co., Inc., et al.*, C.A. No. 3:07-67  
*Estate of Robert Badke, et al. v. Merck & Co., Inc., et al.*, C.A. No. 3:07-69  
*Fred Hardin v. Merck & Co., Inc., et al.*, C.A. No. 3:07-75  
*Jeffrey Nielsen v. Merck & Co., Inc., et al.*, C.A. No. 3:07-76  
*Juliana Nielsen v. Merck & Co., Inc., et al.*, C.A. No. 3:07-77  
*Jacquelyn Johnson v. Merck & Co., Inc., et al.*, C.A. No. 3:07-78  
*Arthur Shanks v. Merck & Co., Inc., et al.*, C.A. No. 4:07-68  
*Earnestine Hardin v. Merck & Co., Inc., et al.*, C.A. No. 4:07-70  
*Shahla Jaferian v. Merck & Co., Inc., et al.*, C.A. No. 5:07-66  
*Estate of Sandra Ellis v. Merck & Co., Inc.*, C.A. No. 5:07-74  
*Nader Jaferian v. Merck & Co., Inc., et al.*, C.A. No. 5:07-79  
*Randolph Dossett v. Merck & Co., Inc., et al.*, C.A. No. 5:07-80  
*Suzanne Dante v. Merck & Co., Inc., et al.*, C.A. No. 5:07-81

Southern District of California

*Genevieve Tadman v. Merck & Co., Inc., et al.*, C.A. No. 3:06-2151  
*Del Rorer v. Merck & Co., Inc., et al.*, C.A. No. 3:07-10  
*Carol Krepp v. Merck & Co., Inc., et al.*, C.A. No. 3:07-11  
*Charles Krepp v. Merck & Co., Inc., et al.*, C.A. No. 3:07-12  
*Teresa Rorer v. Merck & Co., Inc., et al.*, C.A. No. 3:07-14  
*Arlene Purvis v. Merck & Co., Inc., et al.*, C.A. No. 3:07-15

Northern District of West Virginia

*Helen Jean Anderson, etc. v. Merck & Co., Inc., et al.*, C.A. No. 5:06-151

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MDL-1657 (Continued)

Southern District of West Virginia

*Paul Noe, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-1004

*Leota Faye Dickens v. Merck & Co., Inc., et al.*, C.A. No. 2:06-1005

*Madonna Armentrout, etc. v. Rite Aid of West Virginia, Inc.*, C.A. No. 3:06-1058

MDL-1657 -- In re Vioxx Marketing, Sales Practices and Products Liability Litigation  
MDL-1699 -- In re Bextra and Celebrex Marketing, Sales Practices and Products Liability  
Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana in MDL-1657 and to the United States District Court for the Northern District of California in MDL-1699:

Northern District of Alabama

*William D. McCluskey, etc. v. Merck & Co., Inc., et al.*, C.A. No. 2:07-232

Eastern District of California

*Carol Ann Davies, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2768

*Lois Hornsby, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2776

*Bertha Townsend, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2780

*Arthur Bluett, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2787

*Lisa Mathews, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2807

*Geneva Styles, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2812

*Ali Muhilddine, et al. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2814

*Elizabeth A. Cochran v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2817

*Kevin L. Chaney v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2826

*Wendel Vantine, etc. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2851

*Barry Dohner, etc. v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2853

*Jerry Strange v. Merck & Co., Inc., et al.*, C.A. No. 2:06-2875

Southern District of Illinois

*Robert J. Smith, Jr., etc. v. Merck & Co., Inc., et al.*, C.A. No. 3:06-964

*Wilburn Williamson, etc. v. Merck & Co., Inc., et al.*, C.A. No. 3:06-1023

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MDL-1700 -- In re FedEx Ground Package System, Inc., Employment Practices Litigation  
(No. II)

Opposition of plaintiff Carlos Quintin Gonzalez to transfer of the following action to the United States District Court for the Northern District of Indiana:

Southern District of Florida

*Carlos Quintin Gonzalez v. FedEx Home Delivery, et al.*, C.A. No. 1:06-22964

MDL-1708 -- In re Guidant Corp. Implantable Defibrillators Products Liability Litigation

Oppositions of plaintiffs Mary Alice Miller, etc., and Estefana Silva, et al., to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Middle District of Florida

*Mary Alice Miller, etc. v. Guidant Corp., et al.*, C.A. No. 3:07-41

Southern District of Texas

*Estefana Silva, et al. v. Guidant Corp., et al.*, C.A. No. 7:07-2

MDL-1715 -- In re Ameriquest Mortgage Co. Mortgage Lending Practices Litigation

Oppositions of plaintiffs Rodney S. Means and David L. Murphy, et al., and defendants Dream House Mortgage Corp., Northwest Title & Escrow Corp., and Litton Loan Servicing LP to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

Northern District of Indiana

*Rodney S. Means v. Ameriquest Mortgage Co., et al.*, C.A. No. 2:06-409

District of Massachusetts

*Kelly Ann I. Graham, et al. v. Ameriquest Mortgage Co., et al.*, C.A. No. 4:06-40195

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MDL-1715 (Continued)

Eastern District of Missouri

*Paul W. Derda, et al. v. Ameriquest Mortgage Co., et al.*, C.A. No. 4:06-1649

Eastern District of Texas

*David L. Murphy, et al. v. Argent Mortgage Co., LLC*, C.A. No. 1:06-781

MDL-1718 -- In re Ford Motor Co. Speed Control Deactivation Switch Products Liability  
Litigation

Oppositions of plaintiffs Florida Farm Bureau Casualty Insurance Company, etc.; David Giorgini, et al.; and Oscar Reyes, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Michigan:

Middle District of Florida

*Florida Farm Bureau Casualty Insurance Co., etc. v. Ford Motor Co., Inc.*,  
C.A. No. 8:06-2307

Eastern District of Pennsylvania

*David Giorgini, et al. v. Ford Motor Co.*, C.A. No. 2:06-968

Southern District of Texas

*Oscar Reyes, et al. v. Ford Motor Co., et al.*, C.A. No. 4:07-165

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MDL-1726 -- In re Medtronic, Inc., Implantable Defibrillators Products Liability Litigation

Oppositions of plaintiff Patricia Kavalir and defendant Medtronic, Inc., to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Middle District of Florida

*Hazel E. Ricciotti, etc. v. Medtronic, Inc.*, C.A. No. 8:07-233

Northern District of Georgia

*Claudeena Watt-Austin, et al. v. Boston Scientific Corp., et al.*, C.A. No. 1:07-293

Northern District of Illinois

*Patricia Kavalir v. Medtronic, Inc.*, C.A. No. 1:07-835

MDL-1742 -- In re Ortho Evra Products Liability Litigation

Opposition of plaintiffs Jacci Morrison, et al., to transfer of the following action to the United States District Court for the Northern District of Ohio:

Northern District of California

*Jacci Morrison, et al. v. Ortho-McNeil Corp., et al.*, C.A. No. 3:07-8

MDL-1760 -- In re Aredia and Zometa Products Liability Litigation

Oppositions of plaintiffs Joan LeCompte, et al., and Beatrice Rios to transfer of their respective following actions to the United States District Court for the Middle District of Tennessee:

District of New Jersey

*Joan LeCompte, et al. v. Novartis Pharmaceuticals Corp.*, C.A. No. 2:07-357

Southern District of Texas

*Beatrice Rios v. Novartis Pharmaceuticals Corp., et al.*, C.A. No. 6:07-2



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MDL-1763 -- In re Human Tissue Products Liability Litigation

Opposition of plaintiff Sherryl Jean Thornton to transfer of the following action to the United States District Court for the District of New Jersey:

Northern District of Alabama

*Sherryl Jean Thornton v. Michael Mastromarino, et al.*, C.A. No. 1:06-4899

MDL-1781 -- In re Cintas Corp. Overtime Pay Arbitration Litigation

Opposition of respondents in all actions to remand, under 28 U.S.C. § 1407(a), of the following actions to their respective transferor courts:

Northern District of California

*Cintas Corp. v. Randall M. Cornelius, et al.*, C.A. No. 4:06-5078 (M.D. Alabama, C.A. No. 2:06-227)

*Cintas Corp. v. Darren Mitchell Anderson, et al.*, C.A. No. 4:06-5079 (N.D. Alabama, C.A. No. 2:06-492)

*Cintas Corp. v. Ramon J. Baudier, Jr., et al.*, C.A. No. 4:06-5080 (S.D. Alabama, C.A. No. 1:06-148)

*Cintas Corp. v. Robert J. Abel, et al.*, C.A. No. 4:06-5081 (D. Arizona, C.A. No. 2:06-693)

*Cintas Corp. v. Roberto Carlos Alegria, et al.*, C.A. No. 4:06-5082 (C.D. California, C.A. No. 2:06-1750)

*Cintas Corp. v. Ronald Arvizu, et al.*, C.A. No. 4:06-5083 (E.D. California, C.A. No. 2:06-611)

*Cintas Corp. v. Daniel E. Ainsworth, et al.*, C.A. No. 4:06-5084 (S.D. California, C.A. No. 3:06-632)

*Cintas Corp. v. John D. Bickham, et al.*, C.A. No. 4:06-5085 (D. Colorado, C.A. No. 1:06-427)

*Cintas Corp. v. Eugene Christensen, et al.*, C.A. No. 4:06-5086 (D. Connecticut, C.A. No. 3:06-360)

*Cintas Corp. v. Charles Leroy Gray, et al.*, C.A. No. 4:06-5087 (D. Delaware, C.A. No. 1:06-162)

*Cintas Corp. v. Alice Allen, et al.*, C.A. No. 4:06-5088 (M.D. Florida, C.A. No. 8:06-400)

*Cintas Corp. v. Joseph Frazier, et al.*, C.A. No. 4:06-5089 (N.D. Florida, C.A. No. 3:06-103)

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MDL-1781 (Continued)

Northern District of California (Continued)

- Cintas Corp. v. David J. Abrahamsen, et al.*, C.A. No. 4:06-5090 (S.D. Florida, C.A. No. 0:06-60310)
- Cintas Corp. v. Matthew J. DeFelix, et al.*, C.A. No. 4:06-5091 (M.D. Georgia, C.A. No. 1:06-38)
- Cintas Corp. v. Jeffrey Aybar, et al.*, C.A. No. 4:06-5092 (N.D. Georgia, C.A. No. 1:06-569)
- Cintas Corp. v. Joe L. Banks, et al.*, C.A. No. 4:06-5093 (S.D. Georgia, C.A. No. 1:06-35)
- Cintas Corp. v. David DeBilzan, et al.*, C.A. No. 4:06-5094 (D. Idaho, C.A. No. 1:06-104)
- Cintas Corp. v. James Allen Burress, et al.*, C.A. No. 4:06-5095 (C.D. Illinois, C.A. No. 1:06-1068)
- Cintas Corp. v. Vince Agozzino, et al.*, C.A. No. 4:06-5096 (N.D. Illinois, C.A. No. 1:06-1343)
- Cintas Corp. v. James Atkins, et al.*, C.A. No. 4:06-5097 (N.D. Indiana, C.A. No. 2:06-85)
- Cintas Corp. v. Ryan Albright, et al.*, C.A. No. 4:06-5098 (S.D. Indiana, C.A. No. 1:06-401)
- Cintas Corp. v. Donald Allen Griffin, et al.*, C.A. No. 4:06-5099 (S.D. Iowa, C.A. No. 4:06-91)
- Cintas Corp. v. Matthew L. Blackman, et al.*, C.A. No. 4:06-5100 (D. Kansas, C.A. No. 2:06-2091)
- Cintas Corp. v. Danny L. Brown, et al.*, C.A. No. 4:06-5101 (E.D. Kentucky, C.A. No. 2:06-52)
- Cintas Corp. v. Jason Agostini, et al.*, C.A. No. 4:06-5102 (W.D. Kentucky, C.A. No. 3:06-131)
- Cintas Corp. v. Jack Addison, et al.*, C.A. No. 4:06-5103 (E.D. Louisiana, C.A. No. 2:06-1247)
- Cintas Corp. v. Gustave Fontenot, Jr., et al.*, C.A. No. 4:06-5104 (M.D. Louisiana, C.A. No. 3:06-188)
- Cintas Corp. v. Ivan Edward Avery, et al.*, C.A. No. 4:06-5105 (W.D. Louisiana, C.A. No. 6:06-391)
- Cintas Corp. v. Randall Bowles, et al.*, C.A. No. 4:06-5106 (D. Maine, C.A. No. 2:06-55)

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MDL-1781 (Continued)

Northern District of California (Continued)

- Cintas Corp. v. Joe Andrews, et al.*, C.A. No. 4:06-5107 (D. Maryland,  
C.A. No. 8:06-641)
- Cintas Corp. v. Philip Daniel Blaisdell, et al.*, C.A. No. 4:06-5108 (D. Massachusetts,  
C.A. No. 1:06-10442)
- Cintas Corp. v. Brandon Alioto, et al.*, C.A. No. 4:06-5109 (E.D. Michigan,  
C.A. No. 2:06-11043)
- Cintas Corp. v. Travis M. Ault, et al.*, C.A. No. 4:06-5110 (W.D. Michigan,  
C.A. No. 1:06-180)
- Cintas Corp. v. John Callahan, et al.*, C.A. No. 4:06-5111 (D. Minnesota,  
C.A. No. 0:06-1012)
- Cintas Corp. v. Gregory Cole Bigbee, et al.*, C.A. No. 4:06-5112 (S.D. Mississippi,  
C.A. No. 3:06-137)
- Cintas Corp. v. Relton Barnes, et al.*, C.A. No. 4:06-5113 (E.D. Missouri,  
C.A. No. 4:06-450)
- Cintas Corp. v. Randall Adams, et al.*, C.A. No. 4:06-5114 (W.D. Missouri,  
C.A. No. 4:06-208)
- Cintas Corp. v. Jeffrey Anderson, et al.*, C.A. No. 4:06-5115 (D. Nebraska,  
C.A. No. 8:06-262)
- Cintas Corp. v. Anthony Dean Hamby, et al.*, C.A. No. 4:06-5116 (D. Nevada,  
C.A. No. 2:06-300)
- Cintas Corp. v. Joseph Allen, et al.*, C.A. No. 4:06-5117 (D. New Jersey,  
C.A. No. 2:06-1164)
- Cintas Corp. v. Tony L. Bostick, et al.*, C.A. No. 4:06-5119 (D. New Mexico,  
C.A. No. 1:06-185)
- Cintas Corp. v. Troy Amott, et al.*, C.A. No. 4:06-5120 (E.D. New York,  
C.A. No. 1:06-1105)
- Cintas Corp. v. Hugh J. Kingsley, et al.*, C.A. No. 4:06-5121 (N.D. New York,  
C.A. No. 5:06-311)
- Cintas Corp. v. Louis Alves, et al.*, C.A. No. 4:06-5122 (S.D. New York,  
C.A. No. 1:06-1933)
- Cintas Corp. v. Robert F. Bowles, Jr., et al.*, C.A. No. 4:06-5123 (W.D. New York,  
C.A. No. 6:06-6147)
- Cintas Corp. v. Matthew Anderson, et al.*, C.A. No. 4:06-5124 (E.D. North Carolina,  
C.A. No. 5:06-113)

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MDL-1781 (Continued)

Northern District of California (Continued)

- Cintas Corp. v. Gus Aranegui, et al.*, C.A. No. 4:06-5126 (M.D. North Carolina, C.A. No. 1:06-225)  
*Cintas Corp. v. Jonathan Allred, et al.*, C.A. No. 4:06-5127 (W.D. North Carolina, C.A. No. 3:06-114)  
*Cintas Corp. v. Bradley Agler, et al.*, C.A. No. 4:06-5128 (N.D. Ohio, C.A. No. 3:06-7083)  
*Cintas Corp. v. Donald Adkins, et al.*, C.A. No. 4:06-5129 (S.D. Ohio, C.A. No. 1:06-126)  
*Cintas Corp. v. Robert Hall, et al.*, C.A. No. 4:06-5130 (E.D. Oklahoma, C.A. No. 6:06-97)  
*Cintas Corp. v. Brent Berna, et al.*, C.A. No. 4:06-5131 (N.D. Oklahoma, C.A. No. 4:06-148)  
*Cintas Corp. v. Raymond Mac Harris, Jr., et al.*, C.A. No. 4:06-5132 (W.D. Oklahoma, C.A. No. 5:06-247)  
*Cintas Corp. v. Dennis Bassett, et al.*, C.A. No. 4:06-5133 (D. Oregon, C.A. No. 6:06-335)  
*Cintas Corp. v. Kenneth W. Baptist, et al.*, C.A. No. 4:06-5134 (E.D. Pennsylvania, C.A. No. 2:06-1053)  
*Cintas Corp. v. Brian Ash, et al.*, C.A. No. 4:06-5135 (M.D. Pennsylvania, C.A. No. 3:06-517)  
*Cintas Corp. v. Christopher Derenzo, et al.*, C.A. No. 4:06-5136 (W.D. Pennsylvania, C.A. No. 2:06-324)  
*Cintas Corp. v. Joseph E. Edwards, et al.*, C.A. No. 4:06-5137 (D. Rhode Island, C.A. No. 1:06-112)  
*Cintas Corp. v. Thomas Eugene Alert, et al.*, C.A. No. 4:06-5138 (D. South Carolina, C.A. No. 3:06-762)  
*Cintas Corp. v. Stephen Barlow, et al.*, C.A. No. 4:06-5139 (E.D. Texas, C.A. No. 1:06-137)  
*Cintas Corp. v. Bryan Armstrong, et al.*, C.A. No. 4:06-5140 (N.D. Texas, C.A. No. 3:06-432)  
*Cintas Corp. v. Judd Allen, et al.*, C.A. No. 4:06-5141 (S.D. Texas, C.A. No. 4:06-824)  
*Cintas Corp. v. Issac Anaya, et al.*, C.A. No. 4:06-5142 (W.D. Texas, C.A. No. 5:06-216)  
*Cintas Corp. v. Wade Bell, et al.*, C.A. No. 4:06-5143 (D. Utah, C.A. No. 2:06-205)

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MDL-1781 (Continued)

Northern District of California (Continued)

*Cintas Corp. v. John O. Ansink, Jr., et al.*, C.A. No. 4:06-5144 (E.D. Virginia,  
C.A. No. 1:06-267)

*Cintas Corp. v. Nelson Carter, Jr.*, C.A. No. 4:06-5145 (W.D. Virginia,  
C.A. No. 5:06-23)

*Cintas Corp. v. Scott Burgess, et al.*, C.A. No. 4:06-5146 (E.D. Washington,  
C.A. No. 2:06-3023)

*Cintas Corp. v. Michael Anderson, et al.*, C.A. No. 4:06-5147 (W.D. Washington,  
C.A. No. 2:06-332)

*Cintas Corp. v. Nathan J. Andree, et al.*, C.A. No. 4:06-5148 (E.D. Wisconsin,  
C.A. No. 2:06-303)

*Cintas Corp. v. Chris Brown, et al.*, C.A. No. 4:06-5149 (W.D. Wisconsin,  
C.A. No. 3:06-133)

MDL-1789 -- In re Fosamax Products Liability Litigation

Opposition of plaintiff Mary Ellen Potgieter to transfer of the following action to the  
United States District Court for the Southern District of New York:

District of New Jersey

*Mary Ellen Potgieter v. Merck & Co., Inc.*, C.A. No. 2:07-2

PROCEDURES FOR ORAL ARGUMENT BEFORE THE  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re "East of the Rockies" Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

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(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.