

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

May 18, 2009

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

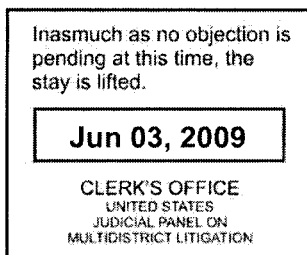
CONDITIONAL TRANSFER ORDER (CTO-14)

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 99 additional actions have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.

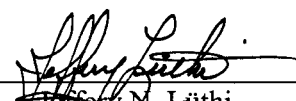
It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:



 Jeffrey M. Lüthi
 Clerk of the Panel

SCHEDULE CTO-14 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #CASE CAPTION

CALIFORNIA NORTHERN

CAN 5 09-1674 Jan Bojsen-Moller v. Costco Wholesale Corp., et al.

KENTUCKY EASTERN

KYE 6 09-132 Ruth Prater v. Actavis Totowa, LLC, et al.

NEW YORK WESTERN

NYW 1 09-355 John Gutowski v. Actavis Totowa, LLC, et al.
NYW 1 09-360 Francis Goble, et al. v. Actavis Totowa, LLC, et al.
NYW 1 09-361 Daniel F. Miller, et al. v. Actavis Totowa, LLC, et al.
NYW 1 09-362 Dennis L. Colt, et al. v. Actavis Totowa, LLC, et al.
NYW 1 09-363 Judith A. Bovenzi, et al. v. Actavis Totowa, LLC, et al.
NYW 1 09-370 Joan B. Tudini, et al. v. Actavis Totowa, LLC, et al.
NYW 1 09-371 Richard F. Bacher, etc. v. Actavis Totowa, LLC, et al.
NYW 1 09-372 Lorraine Kirwan v. Actavis Totowa, LLC, et al.
NYW 1 09-373 Antonia Tucker, etc. v. Actavis Totowa, LLC, et al.
NYW 1 09-374 Casimera T. Saternus v. Actavis Totowa, LLC, et al.
NYW 6 09-6175 William Massie, et al. v. Actavis Totowa, LLC, et al.
NYW 6 09-6176 Robert Merola v. Actavis Totowa, LLC, et al.
NYW 6 09-6187 Charlotte Davis, etc. v. Actavis Totowa, LLC, et al.
NYW 6 09-6188 Betty M. Cinanni v. Actavis Totowa, LLC, et al.
NYW 6 09-6189 Rosemarie Bialynski, etc. v. Actavis Totowa, LLC, et al.
NYW 6 09-6190 Rita Brannum v. Actavis Totowa, LLC, et al.
NYW 6 09-6194 Tammy Taber, et al. v. Actavis Totowa, LLC, et al.
NYW 6 09-6195 Sharron Yarbrough v. Actavis Totowa, LLC, et al.
NYW 6 09-6196 Patricia A. Johnson v. Actavis Totowa, LLC, et al.
NYW 6 09-6197 Ronald Fisher, et al. v. Actavis Totowa, LLC, et al.
NYW 6 09-6198 Pauline Prouty v. Actavis Totowa, LLC, et al.
NYW 6 09-6199 Bonnie Drexler-King, etc. v. Actavis Totowa, LLC, et al.

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