

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

NOTICE OF HEARING SESSION

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

DATE OF HEARING SESSION: **November 29, 2012**

LOCATION OF HEARING SESSION: SMU Dedman School of Law
Hillcrest Appellate Courtroom
3315 Daniel Avenue
Dallas, Texas 75205

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 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.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) does not need to appear at the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the hearing session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

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For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **November 9, 2012**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a long horizontal flourish extending to the right.

Jeffery N. Lüthi
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on November 29, 2012, the Panel will convene a hearing session in Dallas, Texas, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

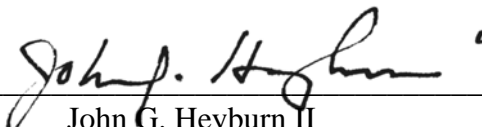
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate 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.

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II
Chairman

Kathryn H. Vratil
Paul J. Barbadoro
Charles R. Breyer

W. Royal Furgeson, Jr.
Marjorie O. Rendell

SCHEDULE OF MATTERS FOR HEARING SESSION
November 29, 2012 -- Dallas, Texas

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT¹

MDL No. 2402 - **IN RE: MARSHALL REEDOM, JR., LITIGATION**

Motion of plaintiff Marshall Reedom, Jr., to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of Illinois

Marshall Reedom, Jr. v. Sabra A. Crappell, et al., C.A. No. 1:12-05521

Western District of Louisiana

Marshall Reedom, Jr. v. Louis Ackal, et al., C.A. No. 6:12-02037

¹ This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.

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MDL No. 2403 - IN RE: DROPLETS, INC., PATENT LITIGATION

Motion of plaintiff Droplets, Inc., to transfer the following actions to the United States District Court for the Northern District of Texas or, in the alternative, to the United States District Court for the Southern District of New York:

Northern District of California

Droplets, Inc. v. Williams Sonoma, Inc., C.A. No. 3:12-04047
Droplets, Inc. v. Amazon.com, Inc., et al., C.A. No. 5:12-03733
Droplets, Inc. v. Nordstrom, Inc., C.A. No. 5:12-04049

Southern District of New York

Droplets, Inc. v. E*Trade Financial Corporation, et al., C.A. No. 1:12-02326

Eastern District of Texas

Droplets, Inc. v. eBay, Inc., et al., C.A. No. 2:11-00401
Droplets, Inc. v. Target Corporation, et al., C.A. No. 2:12-00391

MDL No. 2404 - IN RE: NEXIUM (ESOMEPRAZOLE) PRODUCTS LIABILITY LITIGATION

Motion of plaintiffs Linda Carrasco, et al.; Lupe Abina, et al.; Antoinette Johnson, et al.; Unniebe Solomon, et al.; Pamela Mason, et al.; Christine Nickerson, et al.; Sherwin Arae, et al.; Phyllis Cudney, et al.; Georgia Lou Payne; Rodney Penland; Cynthia Phillips; Kelly Wayne Powers; Peggy Smith; Debra Ann Sweet; Daniel Robin Thomas; Kelly Toler-Allen; Mary Ann Wheeler; Sherrie Rose, et al.; Wanda Rae Belcher, et al.; Andrea Bonner, et al.; Andrew Arevalo, et al.; Irene Avelar, et al.; Wendy Collins, et al.; Kraig Jackson, et al.; Shirley Bradley, et al.; Ann Nybold, et al.; Dawn Johnson, et al.; Jody Schnaak; Betty Conner; Patricia DeLorenzo; Paul Whitlatch; Emma Kuhn, et al.; John McMahon, et al.; Latrisha Morrow; Barbara Moore; and Juanita Kaye Westlake to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

Linda Carrasco, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05044

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MDL No. 2404 (Continued)

Central District of California (Continued)

Lupe Abina, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05046
Antoinette Johnson, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05048
Unniebe Solomon, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05049
Pamela Mason, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05050
Christine Nickerson, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05052
Sherwin Arae, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05053
Phyllis Cudney, et al. v. McKesson Corporation, et al., C.A. No. 2:12-05077

Northern District of California

Judy Beatty, et al. v. AstraZeneca Pharmaceuticals, L.P., et al., C.A. No. 4:12-03507

Southern District of California

Lois Hornsby, et al. v. AstraZeneca Pharmaceuticals LP, et al., C.A. No. 3:12-01307

Eastern District of Tennessee

Georgia Lou Payne v. McKesson Corporation, et al., C.A. No. 3:12-00341
Rodney Penland v. McKesson Corporation, et al., C.A. No. 3:12-00342
Cynthia Phillips v. McKesson Corporation, et al., C.A. No. 3:12-00343
Kelly Wayne Powers v. McKesson Corporation, et al., C.A. No. 3:12-00344
Peggy Smith v. McKesson Corporation, et al., C.A. No. 3:12-00345
Debra Ann Sweet v. McKesson Corporation, et al., C.A. No. 3:12-00346
Daniel Robin Thomas v. McKesson Corporation, et al., C.A. No. 3:12-00347
Kelly Toler-Allen v. McKesson Corporation, et al., C.A. No. 3:12-00348
Mary Ann Wheeler v. McKesson Corporation, et al., C.A. No. 3:12-00349

Middle District of Tennessee

James R. Biggers, et al. v. AstraZeneca, LP, et al., C.A. No. 1:11-00062

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MDL No. 2404 (Continued)

Western District of Tennessee

Beatrice Velasco, et al. v. McKesson Corporation, et al., C.A. No. 2:12-02613

Eastern District of Texas

Beatrice Velasco, et al. v. McKesson Corporation, et al., C.A. No. 6:12-00444

Northern District of Texas

Beatrice Velasco, et al. v. McKesson Corporation, et al., C.A. No. 3:12-02241

Southern District of Texas

Beatrice Velasco, et al. v. McKesson Corporation, et al., C.A. No. 4:12-02099

Western District of Texas

Irene Avelar, et al. v. McKesson Corporation, et al., C.A. No. 5:12-00673

District of Utah

Wendy Collins, et al. v. McKesson Corporation, et al., C.A. No. 2:12-00687

Eastern District of Virginia

Kraig Jackson, et al. v. McKesson Corporation, et al., C.A. No. 2:12-00401

Western District of Virginia

Shirley Bradley, et al. v. McKesson Corporation, et al., C.A. No. 7:12-00304

Western District of Washington

Beatrice Velasco, et al. v. McKesson Corporation, et al., C.A. No. 2:12-01208

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MDL No. 2404 (Continued)

Northern District of West Virginia

Jody Schnaak v. McKesson Corporation, et al., C.A. No. 1:12-00111
Betty Conner v. McKesson Corporation, et al., C.A. No. 2:12-00049
Patricia DeLorenzo v. McKesson Corporation, et al., C.A. No. 5:12-00106
Paul Whitlatch v. McKesson Corporation, et al., C.A. No. 5:12-00107

Southern District of West Virginia

Dawn Johnson, et al. v. McKesson Corporation, et al., C.A. No. 2:12-03054

Eastern District of Wisconsin

Emma Kuhn v. McKesson Corporation, et al., C.A. No. 2:12-00717
John McMahon v. McKesson Corporation, et al., C.A. No. 2:12-00718
Latrisha Morrow v. McKesson Corporation, et al., C.A. No. 2:12-00719

Western District of Wisconsin

Barbara Moore v. McKesson Corporation, et al., C.A. No. 3:12-00496

District of Wyoming

Juanita Kaye Westlake v. McKesson Corporation, et al., C.A. No. 2:12-00152

MDL No. 2405 - **IN RE: ORBITZ WORLDWIDE, INC., PRICE FIXING ANTITRUST
LITIGATION**

Motion of plaintiff James Smith to transfer the following actions to the United States
District Court for the Northern District of Texas:

Northern District of California

Nikita Turik, et al. v. Expedia, Inc., et al., C.A. No. 4:12-04365

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MDL No. 2405 (Continued)

Northern District of Texas

James Smith v. Orbitz Worldwide Inc., et al., C.A. No. 3:12-03515

MDL No. 2406 - **IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION**

Motion of plaintiffs GC Advertising, LLC and CB Roofing, LLC, to transfer the following actions to the United States District Court for the Northern District of Alabama:

Northern District of Alabama

Fred R. Richards, et al. v. Blue Cross and Blue Shield of Alabama, et al.,
C.A. No. 2:12-01133

One Stop Environmental, LLC, et al. v. Blue Cross and Blue Shield of Alabama, et al.,
C.A. No. 2:12-01910

American Electric Motor Services, Inc. v. Blue Cross and Blue Shield of Alabama, et al.,
C.A. No. 2:12-02169

Chris Bajalieh, et al. v. Blue Cross and Blue Shield of Alabama, et al.,
C.A. No. 2:12-02185

GC Advertising, LLC, et al. v. Blue Cross and Blue Shield of Alabama, et al.,
C.A. No. 2:12-02525

Jerry L. Conway v. Blue Cross and Blue Shield of Alabama, et al., C.A. No. 2:12-02532

Thomas A. Carder, et al. v. Blue Cross and Blue Shield of Alabama, et al.,
C.A. No. 2:12-02537

Western District of North Carolina

Thomas A. Cerven, Jr., et al. v. Blue Cross and Blue Shield of North Carolina, et al.,
C.A. No. 5:12-00017

Western District of Tennessee

Mary Morrissey v. Blue Cross Blue Shield of Tennessee, Inc., C.A. No. 2:12-02359

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**MDL No. 2407 - IN RE: HIGHER ONE ONEACCOUNT MARKETING AND SALES
PRACTICES LITIGATION**

Motion of defendants Higher One Holdings, Inc., and The Bancorp Bank to transfer the following actions to a single United States district court:

Middle District of Alabama

John Brandon Kent, et al. v. Higher One Holdings, Inc., et al., C.A. No. 2:12-00712

District of Connecticut

Jeanette Price, et al. v. Higher One Holdings, Inc., et al., C.A. No. 3:12-01093

Northern District of Mississippi

Ashley Parker, et al. v. Higher One Holdings, Inc., et al., C.A. No. 1:12-00154

**MDL No. 2408 - IN RE: COSTA CONCORDIA SHIP ACCIDENT NEAR ISOLA
GIGLIO, ITALY, ON JANUARY 13, 2012**

Motion of plaintiffs Hector Perez, et al., to transfer the following actions to the United States District Court for the Southern District of Florida:

Central District of California

Patricia Sandoval, et al. v. Carnival Corporation, et al., C.A. No. 2:12-05517

Southern District of Florida

Wilhelmina Warrick, et al. v. Carnival Corporation, et al., C.A. No. 0:12-61389
Hector Perez, et al. v. Carnival Corporation, et al., C.A. No. 1:12-23194

Northern District of Illinois

Gary Lobaton v. Carnival Corporation, et al., C.A. No. 1:12-00598

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MDL No. 2409 - IN RE: NEXIUM (ESOMEPRAZOLE) ANTITRUST LITIGATION

Motion of plaintiffs Meijer, Inc., et al., to transfer the following actions to the United States District Court for the District of New Jersey:

District of Massachusetts

Professional Drug Company, Inc. v. AstraZeneca AB, et al., C.A. No. 1:12-11609

District of New Jersey

Meijer, Inc., et al. v. AstraZeneca AB, et al., C.A. No. 3:12-05443
Value Drug Company, et al. v. AstraZeneca Plc, et al., C.A. No. 3:12-05525

Eastern District of Pennsylvania

Fraternal Order of Police Miami Lodge 20, Insurance Trust Fund v. AstraZeneca LP,
et al., C.A. No. 2:12-04893
New York Hotel Trades Council & Hotel Association of New York City, Inc. Health
Benefits Fund v. AstraZeneca AB, et al., C.A. No. 2:12-04898
Rochester Drug Co-Operative, Inc. v. AstraZeneca AB et al., C.A. No. 2:12-04911

**MDL No. 2410 - IN RE: NEW ORIENTAL EDUCATION & TECHNOLOGY GROUP,
INC., SECURITIES LITIGATION**

Motion of defendant New Oriental Education & Technology Group, Inc., to transfer the following actions to the United States District Court for the Central District of California or, in the alternative, to the United States District Court for the Southern District of New York:

Central District of California

Kin Shing Wong v. New Oriental Education & Technology Group, Inc., et al.,
C.A. No. 2:12-06316

Southern District of New York

Jennifer Sax v. New Oriental Education & Technology Group, Inc., et al.,
C.A. No. 1:12-05724

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MDL No. 2410 (Continued)

Southern District of New York (Continued)

Matthew Gabel v. New Oriental Education & Technology Group, Inc., et al.,
C.A. No. 1:12-05963
Julio Tardio v. New Oriental Education & Technology Group, Inc., et al.,
C.A. No. 1:12-06619

MDL No. 2411 - **IN RE: ARCTIC ZERO, INC., FROZEN DESSERT MARKETING AND
SALES PRACTICES LITIGATION**

Motion of plaintiff Altara Michelle to transfer the following actions to the United States
District Court for the Southern District of California:

Southern District of California

Altara Michelle v. Arctic Zero, Inc., C.A. No. 3:12-02063
Brenda Freeman v. Arctic Zero, Inc., C.A. No. 3:12-02279
Lori-Ann Gertler v. Arctic Zero, Inc., C.A. No. 3:12-02284

Northern District of Illinois

Judy Kaplan v. Arctic Zero, Inc., C.A. No. 1:12-06825

MDL No. 2412 - **IN RE: CHASE INVESTMENT SERVICES CORP. FAIR LABOR
STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION**

Motion of plaintiff Kenneth Ciullo to transfer the following actions to the United States
District Court for the Southern District of New York:

Central District of California

Joseph Baumann v. Chase Investment Services Corp., et al., C.A. No. 2:11-06667
Michael Alakozai v. Chase Investment Services Corp., C.A. No. 2:11-09178

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MDL No. 2412 (Continued)

Southern District of New York

Jeffrey Lloyd, et al. v. J.P. Morgan Chase & Co., et al., C.A. No. 1:11-09305
Kenneth Ciullo v. JP Morgan Chase & Co., et al., C.A. No. 1:12-02197

MDL No. 2413 - **IN RE: FRITO-LAY BEAN DIP MARKETING AND SALES
PRACTICES LITIGATION**

Motion of plaintiff Kelli Altman to transfer the following actions to the United States
District Court for the Southern District of Florida:

Southern District of Florida

Kelli Altman v. Frito-Lay North America, Inc., C.A. No. 0:12-61803
Steve Berkowitz v. Frito-Lay North America, Inc., C.A. No. 1:12-22436

Northern District of Illinois

William Roman v. Frito-Lay of North America, Inc., C.A. No. 1:12-07492

Eastern District of New York

Alyssa Schwartz v. Frito-Lay North America, Inc., C.A. No. 1:12-04638

MDL No. 2414 - **IN RE: FRITO-LAY TOSTITOS & SUNCHIPS MARKETING AND
SALES PRACTICES LITIGATION**

Motion of plaintiff Kimberly Fleishman to transfer the following actions to the United
States District Court for the Northern District of Illinois:

Northern District of Illinois

Kimberly Fleishman v. Frito-Lay of North America, Inc., C.A. No. 1:12-07547

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MDL No. 2414 (Continued)

Eastern District of New York

Chris Shake, et al. v. Frito-Lay North America, Inc., et al., C.A. No. 1:12-00408
David Foust v. Frito-Lay North America, Inc., C.A. No. 1:12-05017

**MDL No. 2415 - IN RE: LOREAL WRINKLE CREAM MARKETING AND SALES
PRACTICES LITIGATION**

Motion of plaintiffs Lydia Fabend, et al., to transfer the following actions to the United States District Court for the District of New Jersey:

Southern District of Florida

Constanza Nino v. L'Oreal USA, Inc., et al., C.A. No. 1:12-23462

Northern District of Illinois

Mary Rawson v. L'Oreal USA, Inc., C.A. No. 1:12-07725

District of New Jersey

Lydia Fabend, et al. v. L'Oreal USA, Inc., et al., C.A. No. 2:12-03571

**MDL No. 2416 - IN RE: CAPITAL ONE TELEPHONE CONSUMER PROTECTION
ACT LITIGATION**

Motion of defendant Capital One Bank (USA), N.A., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Middle District of Florida

Lindy Libert v. Capital One Bank (USA), N.A., C.A. No. 3:12-00526
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:11-00752
Beth Ann Scharrer v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00053

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MDL No. 2416 (Continued)

Middle District of Florida (Continued)

Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00074
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00077
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00241
Stephen L. Meininger v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00301
V. John Brook v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00352
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00480
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00592
Larry S. Hyman v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00683
V. John Brook v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00705
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00744
V. John Brook v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00745
Stephen L. Meininger v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00766
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00795
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00800
V. John Brook v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00847
Stephen L. Meininger v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00857
Angela W. Esposito v. Capital One Bank (USA), N.A., Bky. Adv. No. 8:12-00859
Stephen L. Meininger v. Capital One Bank (USA), N.A., C.A. No. 8:12-00641
Desiree McShane v. Capital One Services, LLC, C.A. No. 8:12-01273

Southern District of Florida

Melissa A. Rubin v. Northland Group, Inc., C.A. No. 9:12-80320

Middle District of Georgia

Martin Alejandro Martinez Medrano v. Capital One Financial Corporation,
C.A. No. 5:12-00282

Northern District of Illinois

Nicholas Martin, et al. v. Leading Edge Recovery Solutions, LLC, C.A. No. 1:11-05886
Charles C. Patterson v. Capital Management Services, L.P., C.A. No. 1:12-01061

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MDL No. 2416 (Continued)

Northern District of Indiana

Benjamin Wilkes v. Capital One National Association, C.A. No. 4:12-00047

Northern District of Iowa

Dean Schauf, et al. v. Capital One Bank (USA), N.A., C.A. No. 2:12-01006

Southern District of Iowa

Jill Angela Coy v. Capital One Bank (USA), N.A., C.A. No. 4:12-00123

District of Minnesota

Marklyn Tyrone Johnson v. Capital One Bank (USA), N.A., C.A. No. 0:12-00584

Southern District of New York

Carrie Tate v. Capital One, N.A., C.A. No. 1:12-06361

Middle District of Pennsylvania

Jessica Vadella v. Capital One Bank (USA), N.A., et al., C.A. No. 3:12-00851

Western District of Washington

Bridgett Amadeck, et al. v. Capital One Financial Corporation, et al.,
C.A. No. 2:12-00244

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SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 1586 - IN RE: MUTUAL FUNDS INVESTMENT LITIGATION

Motion of plaintiffs Kaveh S. Shahi, et al., for remand, pursuant to 28 U.S.C. § 1407(a), of the following action to the United States District Court for the District of Vermont:

District of Maryland

Kaveh S. Shahi, et al. v. Putnam Investments, C.A. No. 1:04-02605 (D. Vermont, C.A. No. 1:04-00023)

MDL No. 1626 - IN RE: ACCUTANE (ISOTRETINOIN) PRODUCTS LIABILITY LITIGATION

Opposition of plaintiff Anthony R. Montgomery to transfer of the following action to the United States District Court for the Middle District of Florida:

Eastern District of Pennsylvania

Anthony R. Montgomery v. Hoffman-La Roche Inc., et al., C.A. No. 2:12-05390

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**MDL No. 1932 - IN RE: FAMILY DOLLAR STORES, INC., WAGE AND HOUR
EMPLOYMENT PRACTICES LITIGATION**

Opposition of plaintiff Bethany L. Ryan to transfer of the following action to the United States District Court for the Western District of North Carolina:

District of Massachusetts

Bethany L. Ryan v. Family Dollar Stores of Massachusetts, Inc., et al.,
C.A. No. 1:12-11400

MDL No. 1943 - IN RE: LEVAQUIN PRODUCTS LIABILITY LITIGATION

Opposition of plaintiffs Anthony Zannella, et al., to transfer of the following action to the United States District Court for the District of Minnesota:

Eastern District of Missouri

Anthony Zannella, et al. v. Johnson & Johnson, et al., C.A. No. 4:12-01407

**MDL No. 2052 - IN RE: TREMONT GROUP HOLDINGS, INC., SECURITIES
LITIGATION**

Oppositions of plaintiffs Spectrum Select, L.P.; Albert Anikstein, et al.; Michael Becker, et al.; Alan Bilgore, et al.; Karasel II, L.P.; Spectrum Select II, L.P., et al.; and Robert Cocchi, et al., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Southern District of Florida

Spectrum Select, L.P. v. Tremont Group Holdings, Inc., et al., C.A. No. 9:12-80962
Albert Anikstein, et al. v. Tremont Group Holdings, Inc., et al., C.A. No. 9:12-80964
Michael Becker, et al. v. Tremont Group Holdings, Inc., et al., C.A. No. 9:12-80965
Alan Bilgore, et al. v. Tremont Group Holdings, Inc., et al., C.A. No. 9:12-80966
Karasel II, L.P. v. Tremont Group Holdings, Inc., et al., C.A. No. 9:12-80967
Spectrum Select II, L.P., et al. v. Tremont Group Holdings, Inc., et al.,
C.A. No. 9:12-80968
Robert Cocchi, et al. v. Tremont Group Holdings, Inc., et al., C.A. No. 9:12-80970

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**MDL No. 2138 - IN RE: BANK OF AMERICA WAGE AND HOUR EMPLOYMENT
PRACTICES LITIGATION**

Partial opposition of plaintiff William F. Rivero to transfer of the following action to the United States District Court for the District of Kansas:

Northern District of Texas

William F. Rivero v. Bank of America Corporation, et al., C.A. No. 4:12-00384

Motion of defendants Bank of America, N.A., and Bank of America Corporation to transfer the following action to the United States District Court for the District of Kansas:

Southern District of California

Crystal E. Hetherington v. Bank of America, N.A., et al., C.A. No. 3:12-01559

**MDL No. 2151 - IN RE: TOYOTA MOTOR CORP. UNINTENDED ACCELERATION
MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs Scott E. Casey, et al., to transfer of the following action to the United States District Court for the Central District of California:

Northern District of Texas

Scott E. Casey, et al. v. Toyota Motor Sales USA, Inc., et al., C.A. No. 3:11-03043

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**MDL No. 2158 - IN RE: ZIMMER DUROM HIP CUP PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs David Foscue, et al., to transfer of the following action to the United States District Court for the District of New Jersey:

Western District of Arkansas

David Foscue, et al. v. Zimmer, Inc., et al., C.A. No. 1:12-01083

**MDL No. 2179 - IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN
THE GULF OF MEXICO, ON APRIL 20, 2010**

Opposition of plaintiffs David T. Knight, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Middle District of Florida

David T. Knight, et al. v. BP PLC, et al., C.A. No. 8:12-01774

**MDL No. 2187 - IN RE: C.R. BARD, INC., PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

District of Massachusetts

Lana Joy Mirabal v. C. R. Bard, Inc., C.A. No. 1:12-11559
Alma Olga Rivas v. C.R. Bard, Inc., et al., C.A. No. 1:12-11561
Lynette Louise Rice v. C.R. Bard Inc., C.A. No. 1:12-11563
Lisa Hommes v. C.R. Bard, Inc., C.A. No. 1:12-11564
Sondra Lorene Sanborn v. C.R. Bard, Inc., C.A. No. 1:12-11567
Kimberly Dawn Weyker v. C.R. Bard, Inc., et al., C.A. No. 1:12-11568
Sheryl Lynn Ratchenski v. C.R. Bard, Inc., et al., C.A. No. 1:12-11569
Shella Wozniak Poole v. C.R. Bard, Inc., et al., C.A. No. 1:12-11571
Cathleen Lorraine Izard v. C.R. Bard, Inc., et al., C.A. No. 1:12-11573

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MDL No. 2187 (Continued)

District of Massachusetts (Continued)

Lisa M. LaFranca v. C. R. Bard, et al., C.A. No. 1:12-11625
Susan F. Wilson v. C. R. Bard, C.A. No. 1:12-11626

MDL No. 2197 - **IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Rose Monteiro, et al.; Donald Sixberry; and Karen Johnson to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

District of Nevada

Rose Monteiro, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:12-01576

District of Oregon

Donald Sixberry v. DePuy Orthopaedics, Inc., et al., C.A. No. 3:12-01622

District of South Carolina

Karen Johnson v. DePuy Orthopaedics Inc., et al., C.A. No. 3:12-02274

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**MDL No. 2244 - IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Evetta Tooley; Dr. Clarence Henke, et al.; Stephen M. Flach, et al.; and Ted Tanenbaum, et al., and defendant PorterCare Adventist Health System to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Central District of California

Evetta Tooley v. DePuy Orthopaedics, Inc., et al., C.A. No. 2:12-06181

District of Colorado

Dr. Clarence Henke, et al. v. DePuy Orthopaedics, Inc., et al., C.A. No. 1:12-02397

District of Maryland

Stephen M. Flach, et al. v. Johnson & Johnson, Inc., et al., C.A. No. 1:12-02112

Eastern District of New York

Ted Tanenbaum, et al. v. Depuy Orthopaedics, Inc., et al., C.A. No. 2:12-03807

MDL No. 2245 - IN RE: CARDTRONICS ATM FEE NOTICE LITIGATION

Opposition of plaintiff Shawn Traylor to transfer of the following action to the United States District Court for the Southern District of California:

District of Connecticut

Shawn Traylor v. Cardtronics, Inc., et al., C.A. No. 3:12-00999

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MDL No. 2270 - IN RE: CERTAINTEED FIBER CEMENT SIDING LITIGATION

Opposition of plaintiff Annie Cheung to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Western District of North Carolina

Annie Cheung v. CertainTeed Corporation, et al., C.A. No. 3:12-00557

MDL No. 2272 - IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY LITIGATION

Oppositions of defendants Zimmer, Inc.; Zimmer Holdings, Inc.; and Zimmer Surgical, Inc., f/k/a Zimmer Orthopaedic Surgical Products, Inc., to transfer of the following actions to the United States District Court for the Northern District of Illinois:

Central District of California

Mary Shoulders v. Zimmer, Inc., et al., C.A. No. 2:12-02012

Southern District of Florida

Rosemary Falconeri v. Zimmer, Inc., et al., C.A. No. 9:12-80869

Eastern District of Louisiana

August J. Majorie v. Zimmer, Inc., et al., C.A. No. 2:12-02216

MDL No. 2284 - IN RE: IMPRELIS HERBICIDE MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

Opposition of plaintiffs Brendan Buckley, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Western District of Missouri

Brendan Buckley, et al. v. Ryan Lawn & Tree, Inc., C.A. No. 4:12-0552

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**MDL No. 2323 - IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION**

Oppositions of plaintiffs Calvin Woods, et al., and Michael J. Pyle, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Middle District of Florida

Calvin Woods, et al. v. Jimmie Giles, et al., C.A. No. 8:12-01620

Southern District of New York

Michael J. Pyle, et al. v. The National Football League, et al., C.A. No. 1:12-06493

**MDL No. 2327 - IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

Oppositions of plaintiff Maria DeLeon and defendants Alejandro Tey, M.D., and Alejandro Tey, M.D., P.A. a/k/a Tey Women's Health Center to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Southern District of Texas

Maria DeLeon v. Alejandro Tey, M.D., et al., C.A. No. 7:12-00338

**MDL No. 2342 - IN RE: ZOLOFT (SERTRALINE HYDROCHLORIDE) PRODUCTS
LIABILITY LITIGATION**

Opposition of plaintiffs Annie Morgan, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Missouri

Annie Morgan, et al. v. Pfizer, Inc., et al., C.A. No. 4:12-01500

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**MDL No. 2372 - IN RE: WATSON FENTANYL PATCH PRODUCTS LIABILITY
LITIGATION**

Oppositions of plaintiffs in MDL No. 2372, Amanda Osinga, et al., to transfer of the following actions to the United States District Court for the Northern District of Illinois:

District of Hawaii

Eugene Landry v. Watson Pharmaceuticals, Inc., C.A. No. 1:11-00097

Eastern District of Louisiana

Jeanne Samanie, et al. v. Dr. Karen Morgan, et al., C.A. No. 2:12-00453

**MDL No. 2385 - IN RE: PRADAXA (DABIGATRAN ETEXILATE) PRODUCTS
LIABILITY LITIGATION**

Opposition of plaintiffs Thelma Butner, et al., to transfer of the following action to the United States District Court for the Southern District of Illinois:

Northern District of California

Thelma Butner, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 3:12-03715

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement 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 limited to 2 pages.

- (i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. 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 and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

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(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.