

**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 under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **November 30, 2017**

LOCATION OF HEARING SESSION: Thomas F. Eagleton U.S. Courthouse  
En Banc Courtroom, 28th Floor  
111 South 10th Street  
St. Louis, Missouri 63102

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) need not attend 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.

- 2 -

- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

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 13, 2017**. 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

cc: Clerk, United States District for the Eastern District of Missouri

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 30, 2017, the Panel will convene a hearing session in St Louis, Missouri, 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(b), 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



---

Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
November 30, 2017 -- St. Louis, Missouri

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

(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.)

**MDL No. 2799 – IN RE: MICHAEL STAPLETON ASSOCIATES, LTD., FAIR LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION**

Motion of defendants Michael Stapleton Associates, Ltd., and Michael O’Neill to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of New York

BARRETT, ET AL. v. MICHAEL STAPLETON ASSOCIATES, LTD.,  
C.A. No. 1:17-05468

Northern District of Texas

BLACKMON v. MICHAEL STAPLETON ASSOCIATES LTD, C.A. No. 3:17-01362

**MDL No. 2800 – IN RE: EQUIFAX, INC., CUSTOMER DATA SECURITY BREACH LITIGATION**

Motions of plaintiffs James McGonnigal, et al., and Joseph M. Kuss and Stacy Markowitz to transfer the following actions to the United States District Court for the Northern District of Georgia, and motion of plaintiff Barbara Hensley to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Alabama

PANTAZE v. EQUIFAX INFORMATION SERVICES LLC, C.A. No. 2:17-01530  
OSTOYA, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-01550  
WALKER, ET AL. v. EQUIFAX, INC., C.A. No. 5:17-01527  
HIGHFIELD v. EQUIFAX, INC., ET AL., C.A. No. 5:17-01567

Western District of Arkansas

GRAY, ET AL. v. EQUIFAX INFORMATION SERVICES, LLC.,  
C.A. No. 6:17-06095

Central District of California

RAFFIN v. EQUIFAX, INC., C.A. No. 2:17-06620  
BANDOH AIDOO v. EQUIFAX, INC., C.A. No. 2:17-06658  
JOOF, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-06659  
TADA, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-06666  
SCOTT v. EQUIFAX, INC., C.A. No. 2:17-06715  
FAILLACE v. EQUIFAX, INC., C.A. No. 2:17-06721  
MCSHAN, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 2:17-06764  
BARKER v. EQUIFAX, INC., ET AL., C.A. No. 8:17-01560  
COLLINS v. EQUIFAX, INC., C.A. No. 8:17-01561  
AVISE v. EQUIFAX, INC., C.A. No. 8:17-01563  
DURAN, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 8:17-01571

Eastern District of California

MILLER, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 2:17-01872  
MYERS, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-01878

Northern District of California

SPICER v. EQUIFAX, INC., ET AL., C.A. No. 5:17-05228  
ALEXANDER v. EQUIFAX, INC., C.A. No. 5:17-05230  
BELDEN v. EQUIFAX, INC., C.A. No. 5:17-05260  
MURPHY, ET AL. v. EQUIFAX, INC., C.A. No. 5:17-05262  
GALPERN v. EQUIFAX, INC., ET AL., C.A. No. 5:17-05265  
SALINAS, ET AL. v. EQUIFAX, INC., C.A. No. 5:17-05284

Southern District of California

GERSTEN, ET AL. v. EQUIFAX, INC., C.A. No. 3:17-01828  
DREMAK v. EQUIFAX, INC., C.A. No. 3:17-01829  
TANKS, ET AL. v. EQUIFAX, INC., C.A. No. 3:17-01832  
VONWILLER v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 3:17-01839  
SEYMORE, ET AL. v. EQUIFAX, INC., C.A. No. 3:17-01871

District of Colorado

MORRIS v. EQUIFAX, INC., C.A. No. 1:17-02178

District of District of Columbia

SANTAMAURO v. EQUIFAX, INC., C.A. No. 1:17-01852

Northern District of Georgia

MCGONNIGAL v. EQUIFAX, INC., C.A. No. 1:17-03422  
CARY, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03433  
KUSS v. EQUIFAX, INC., C.A. No. 1:17-03436  
KEALY, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03443  
RUSCITTO v. EQUIFAX, INC., C.A. No. 1:17-03444  
LAPTER, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03445  
MANAHER v. EQUIFAX, INC., C.A. No. 1:17-03447  
SAMSON v. EQUIFAX, INC., C.A. No. 1:17-03448  
WOLF v. EQUIFAX, INC., C.A. No. 1:17-03450  
WASHBURN, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03451  
FIORE v. EQUIFAX, INC., C.A. No. 1:17-03456  
LIPCHITZ v. EQUIFAX, INC., C.A. No. 1:17-03457  
MARTIN v. EQUIFAX, INC., C.A. No. 1:17-03458  
MENZER v. EQUIFAX, INC., C.A. No. 1:17-03459  
PAGLIARULO v. EQUIFAX, INC., C.A. No. 1:17-03460  
PUGLIESE v. EQUIFAX, INC., C.A. No. 1:17-03461  
RUST, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03471  
PAVESI, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03476  
BOUNDY, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03480  
BEEKMAN, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-03492

Northern District of Illinois

NEILAN v. EQUIFAX, INC., C.A. No. 1:17-06508  
LANG, ET AL. v. EQUIFAX INFORMATION SERVICES, LLC,  
C.A. No. 1:17-06519

Southern District of Indiana

KING v. EQUIFAX, INC., C.A. No. 1:17-03157

District of Kansas

HOUSE v. EQUIFAX, INC., C.A. No. 2:17-02523

Eastern District of Kentucky

ANDERSON v. EQUIFAX, INC., C.A. No. 2:17-00156  
TOMLIN, ET AL. v. EQUIFAX INFORMATION SERVICES, LLC,  
C.A. No. 2:17-00158

District of Maryland

GALLANT v. EQUIFAX, INC., C.A. No. 8:17-02712

District of Massachusetts

COLE v. EQUIFAX, INC., C.A. No. 1:17-11712  
SKYE v. EQUIFAX, INC., C.A. No. 1:17-11742

Eastern District of Michigan

CHERNEY, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-12966

District of Minnesota

AMADICK, ET AL. v. EQUIFAX INFORMATION SERVICES, LLC,  
C.A. No. 0:17-04196

Northern District of Mississippi

BYAS, ET AL. v. EQUIFAX, INC., C.A. No. 4:17-00130

Western District of Missouri

KRAWCYK v. EQUIFAX, INC., C.A. No. 4:17-00760

District of Nevada

KNEPPER v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 2:17-02368  
MCCALL, ET AL. v. EQUIFAX INFORMATION SERVICES, LLC,  
C.A. No. 2:17-02372

District of New Jersey

KENDALL v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 1:17-06922  
DOWGIN v. EQUIFAX, INC., C.A. No. 1:17-06923  
CHRISTEN, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-06951  
FRIEDMAN, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 1:17-07022  
ZAMORA v. EQUIFAX, INC., ET AL., C.A. No. 1:17-07085

District of New Mexico

KILGORE, ET AL. v. EQUIFAX INFORMATION SERVICES LLC,  
C.A. No. 1:17-00942

Eastern District of New York

GROSSBERG, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-05280  
LEVY v. EQUIFAX INFORMATION SERVICES, LLC, ET AL., C.A. No. 1:17-05354  
ZWEIG v. EQUIFAX, INC., C.A. No. 1:17-05366  
JORGE, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-05404

Southern District of New York

TIRELLI, ET AL. v. EQUIFAX INFORMATION SERVICES, LLC,  
C.A. No. 7:17-06868  
DAVIS, ET AL. v. EQUIFAX, INC., C.A. No. 7:17-06883  
BITTON v. EQUIFAX INFORMATION SERVICES, LLC, ET AL.,  
C.A. No. 7:17-06946

Northern District of Ohio

TORREY v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 1:17-01922

Southern District of Ohio

GERSTEIN, ET AL. v. EQUIFAX INFORMATION SERVICES LLC,  
C.A. No. 1:17-00593

Northern District of Oklahoma

BAHNMAIER v. EQUIFAX, INC., C.A. No. 4:17-00512



Western District of Oklahoma

GIBSON, ET AL. v. EQUIFAX, INC., C.A. No. 5:17-00973

District of Oregon

MCHILL, ET AL. v. EQUIFAX, INC., C.A. No. 3:17-01405

Eastern District of Pennsylvania

AUSTIN v. EQUIFAX, INC., ET AL., C.A. No. 2:17-04045

CAPLAN v. EQUIFAX INFORMATION SERVICES, LLC, C.A. No. 2:17-04055

MANN v. EQUIFAX INFORMATION SERVICES LLC, C.A. No. 2:17-04100

HENSLEY v. EQUIFAX, INC., ET AL., C.A. No. 5:17-04105

Western District of Pennsylvania

DERBY v. EQUIFAX, INC., C.A. No. 2:17-01186

Middle District of Tennessee

MARTIN v. EQUIFAX, INC., C.A. No. 3:17-01246

Eastern District of Texas

LYNCH, ET AL. v. EQUIFAX, INC., C.A. No. 4:17-00640

Southern District of Texas

COLLINS v. EQUIFAX, INC., C.A. No. 1:17-00187

District of Utah

PARTRIDGE, ET AL. v. EQUIFAX, INC., ET AL., C.A. No. 2:17-01017

Western District of Washington

PAVITT, ET AL. v. EQUIFAX, INC., C.A. No. 2:17-01363

Eastern District of Wisconsin

MALONEY v. EQUIFAX, INC., C.A. No. 2:17-01238

Northern District of West Virginia

RICE, ET AL. v. EQUIFAX, INC., C.A. No. 1:17-00156

MDL No. 2801 – **IN RE: CAPACITORS ANTITRUST LITIGATION (NO. III)**

Motion of defendants AVX Corporation, et al., to transfer the following actions to the United States District Court for the Northern District of California:

District of Arizona

AVNET INCORPORATED v. HITACHI CHEMICAL COMPANY LIMITED, ET AL.,  
C.A. No. 2:16-02808

BENCHMARK ELECTRONICS INCORPORATED, ET AL. v. AVX CORPORATION,  
ET AL., C.A. No. 2:17-02058

Northern District of California

IN RE CAPACITORS ANTITRUST LITIGATION, C.A. No. 3:14-03264  
DEPENDABLE COMPONENT SUPPLY CORP. v. PANASONIC CORPORATION,  
ET AL., C.A. No. 3:14-03300

SCHUTEN ELECTRONICS, INC. v. AVX CORPORATION, ET AL.,  
C.A. No. 3:14-03698

ELLIS, ET AL. v. PANASONIC CORPORATION, ET AL., C.A. No. 3:14-03815

EIQ ENERGY, INC. v. AVX CORPORATION, ET AL., C.A. No. 3:14-04123

BENNETT v. PANASONIC CORPORATION, ET AL., C.A. No. 3:14-04403

IN HOME TECH SOLUTIONS, INC. v. PANASONIC CORPORATION, ET AL.,  
C.A. No. 3:14-04514

TOY-KNOWLOGY, INC. v. ELNA CO. LTD., ET AL., C.A. No. 3:14-04657

CAE SOUND v. ELNA CO. LTD., ET AL., C.A. No. 3:14-04677

QUATHIMATINE HOLDINGS, INC. v. ELNA CO. LTD., ET AL.,  
C.A. No. 3:14-04704

BROOKS, ET AL. v. PANASONIC CORPORATION, ET AL., C.A. No. 3:14-04742

WONG v. KEMET CORPORATION, ET AL., C.A. No. 3:14-04782

WALKER COMPONENT GROUP, INC. v. PANASONIC CORPORATION, ET AL.,  
C.A. No. 3:14-04800

FLEXTRONICS INTERNATIONAL USA, INC. v. NEC TOKIN CORPORATION,  
ET AL., C.A. No. 3:15-02517

THE AASI BENEFICIARIES TRUST, BY AND THROUGH KENNETH A. WELT,  
LIQUIDATING TRUSTEE v. AVX CORPORATION, ET AL.,  
C.A. No. 3:17-03472

MDL No. 2802 – **IN RE: EPIPEN (EPINEPHRINE INJECTION, USP) EMPLOYEE  
RETIREMENT INCOME SECURITY ACT (ERISA) LITIGATION**

Motion of plaintiffs Elan Klein, et al., to transfer the following actions to the United States District Court for the District of Minnesota:

District of Kansas

BRANNON, ET AL. v. EXPRESS SCRIPTS HOLDING COMPANY, ET AL.,  
C.A. No. 2:17-02497

District of Minnesota

KLEIN, ET AL. v. PRIME THERAPEUTICS, LLC, ET AL., C.A. No. 0:17-01884

MDL No. 2803 – **IN RE: JUST BORN, INC., MARKETING AND SALES PRACTICES  
LITIGATION**

Motion of defendant Just Born, Inc., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

ESCOBAR v. JUST BORN, INC., ET AL., C.A. No. 2:17-01826

Southern District of California

BUSO v. JUST BORN, INC., ET AL., C.A. No. 3:17-01630

Western District of Missouri

WHITE v. JUST BORN, INC., C.A. No. 2:17-04025

MDL No. 2804 – **IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

Motion of plaintiffs City of Birmingham, Alabama; The People of State of Illinois, et al.; The Fiscal Court of Anderson County; The Fiscal Court of Franklin County; The Fiscal Court of Shelby County; The Fiscal Court of Henry County; The Fiscal Court of Boone County; The Fiscal Court of Pendleton County; The Fiscal Court of Campbell County; The Fiscal Court of Boyle County; The Fiscal Court of Fleming County; The Fiscal Court of Garrard County; The Fiscal Court of Lincoln County; The Fiscal Court of Madison County; The Fiscal Court of Nicholas County; The Fiscal Court of Bell County; The Fiscal Court of Harlan County; The Fiscal Court of Knox County; The Fiscal Court of Leslie County; The Fiscal Court of Whitley County; The Fiscal Court of Clay County; Fiscal Court of Cumberland County; Louisville/Jefferson County Metro Government; The; The Fiscal Court of Spencer County; The Fiscal Court of Union County; The Fiscal Court of Carlisle County; Clermont County Board of County Commissioners; Belmont County Board of County Commissioners; Brown County Board of County Commissioners; Vinton County Board of County Commissioners; Jackson County Board of County Commissioners; Scioto County Board of County Commissioners; Pike County Board of County Commissioners; Ross County Board of County Commissioners; City of Cincinnati; City of Portsmouth; Gallia County Board of Commissioners; Hocking County Board of Commissioners; Lawrence County Board of Commissioners; Kanawha County Commission; Fayette County; Boone County Commission; Logan County Commission; Cabell County Commission; and Wayne County Commission to transfer the following actions to the United States District Court for the Southern District of Ohio or, in the alternative, the United States District Court for the Southern District of Illinois:

Northern District of Alabama

CITY OF BIRMINGHAM v. AMERISOURCEBERGEN DRUG CORPORATION,  
ET AL., C.A. No. 2:17-01360

Eastern District of California

COUNTY OF SAN JOAQUIN, ET AL. v. PURDUE PHARMA, L.P., ET AL.,  
C.A. No. 2:17-01485

Southern District of Illinois

PEOPLE OF THE STATE OF ILLINOIS, ET AL. v. PURDUE PHARMA LP, ET AL.,  
C.A. No. 3:17-00616  
PEOPLE OF THE STATE OF ILLINOIS, ET AL. v. AMERISOURCEBERGEN  
DRUG CORPORATION, ET AL., C.A. No. 3:17-00856

PEOPLE OF STATE OF ILLINOIS, ET AL. v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00876

Eastern District of Kentucky

BOONE COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00157  
PENDLETON COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00161  
CAMPBELL COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00167  
ANDERSON COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00070  
FRANKLIN COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00071  
SHELBY COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00072  
HENRY COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00073  
BOYLE COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00367  
FLEMING COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00368  
GARRARD COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00369  
LINCOLN COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00370  
MADISON COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00371  
NICHOLAS COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00373  
BELL COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 6:17-00246  
HARLAN COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 6:17-00247  
KNOX COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 6:17-00248  
LESLIE COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 6:17-00249  
WHITLEY COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 6:17-00250

CLAY COUNTY FISCAL COURT v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 6:17-00255

Western District of Kentucky

THE FISCAL COURT OF CUMBERLAND COUNTY v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 1:17-00163

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00508

THE FISCAL COURT OF SPENCER COUNTY v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-00557

THE FISCAL COURT OF UNION COUNTY v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 4:17-00120

THE FISCAL COURT OF CARLISLE COUNTY v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-00136

District of New Hampshire

STATE OF NEW HAMPSHIRE v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:17-00427

Northern District of Ohio

CITY OF LORAIN v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:17-01639

CITY OF PARMA v. PURDUE PHARMA L.P., ET AL., C.A. No. 1:17-01872

Southern District of Ohio

CLERMONT COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00662

BELMONT COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00663

BROWN COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00664

VINTON COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN CORPORATION, ET AL., C.A. No. 2:17-00665

JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00680

SCIOTO COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00682

PIKE COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00696  
ROSS COUNTY BOARD OF COUNTY COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00704  
CITY OF CINCINNATI v. AMERISOURCEBERGEN DRUG CORPORATION,  
ET AL., C.A. No. 2:17-00713

CITY OF PORTSMOUTH v. AMERISOURCEBERGEN DRUG CORPORATION,  
ET AL., C.A. No. 2:17-00723

GALLIA COUNTY BOARD OF COMMISSIONERS v. AMERISOURCEBERGEN  
DRUG CORPORATION, ET AL., C.A. No. 2:17-00768

HOCKING COUNTY BOARD OF COMMISSIONERS v. AMERISOURCEBERGEN  
DRUG CORPORATION, ET AL., C.A. No. 2:17-00769

LAWRENCE COUNTY BOARD OF COMMISSIONERS v.

AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 2:17-00770  
DAYTON v. PURDUE PHARMA LP, ET AL., C.A. No. 3:17-00229

Eastern District of Tennessee

STAUBUS, ET AL. v. PURDUE PHARMA LP ET AL., C.A. No. 2:17-00122

Western District of Washington

CITY OF EVERETT v. PURDUE PHARMA LP, ET AL., C.A. No. 2:17-00209

CITY OF TACOMA v. PURDUE PHARMA, L.P., ET AL., C.A. No. 3:17-05737

Southern District of West Virginia

THE COUNTY COMMISSION OF MCDOWELL COUNTY v. MCKESSON  
CORPORATION, ET AL., C.A. No. 1:17-00946

HONAKER v. WEST VIRGINIA BOARD OF PHARMACY, ET AL.,  
C.A. No. 1:17-03364

THE COUNTY COMMISSION OF MERCER COUNTY v. WEST VIRGINIA BOARD  
OF PHARMACY, C.A. No. 1:17-03716

KANAWHA COUNTY COMMISSION v. RITE AID OF MARYLAND, INC., ET AL.,  
C.A. No. 2:17-01666

FAYETTE COUNTY COMMISSION v. CARDINAL HEALTH, INC., ET AL.,  
C.A. No. 2:17-01957

BOONE COUNTY COMMISSION v. AMERISOURCEBERGEN DRUG  
CORPORATION, ET AL., C.A. No. 2:17-02028

LOGAN COUNTY COMMISSION v. CARDINAL HEALTH, INC., ET AL.,  
C.A. No. 2:17-02296

THE COUNTY COMMISSION OF LINCOLN COUNTY v. WEST VIRGINIA BOARD OF PHARMACY, ET AL., C.A. No. 2:17-03366  
LIVINGGOOD v. WEST VIRGINIA BOARD OF PHARMACY, ET AL., C.A. No. 2:17-03369  
SPARKS v. WEST VIRGINIA BOARD OF PHARMACY, C.A. No. 2:17-03372  
CARLTON, ET AL. v. WEST VIRGINIA BOARD OF PHARMACY, ET AL., C.A. No. 2:17-03532  
STATE OF WEST VIRGINIA, ET AL. v. MCKESSON CORPORATION, C.A. No. 2:17-03555  
BARKER v. WEST VIRGINIA BOARD OF PHARMACY, ET AL., C.A. No. 2:17-03715  
THE CITY OF HUNTINGTON v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-01362  
CABELL COUNTY COMMISSION v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 3:17-01665  
WAYNE COUNTY COMMISSION v. RITE AID OF MARYLAND, INC., ET AL., C.A. No. 3:17-01962  
WYOMING COUNTY COMMISSION v. AMERISOURCEBERGEN DRUG CORPORATION, ET AL., C.A. No. 5:17-02311

**MDL No. 2805 – IN RE: POLAND SPRING 100% NATURAL SPRING WATER  
MARKETING AND SALES PRACTICES LITIGATION**

Motion of defendant Nestlé Waters North America Inc., to transfer the following actions to the United States District Court for the District of Connecticut:

District of Connecticut

PATANE, ET AL. v. NESTLE WATERS NORTH AMERICA, INC., C.A. No. 3:17-01381  
KRINSKY, ET AL. v. NESTLE WATERS NORTH AMERICA, INC., C.A. No. 3:17-01474  
LILLY v. NESTLE WATERS NORTH AMERICA INC., C.A. No. 3:17-01566

District of Maine

RAY, ET AL. v. NESTLE WATERS NORTH AMERICA, INC., C.A. No. 2:17-00351



MDL No. 2806 – **IN RE: MCGREGOR-MAYWEATHER BOXING MATCH  
PAY-PER-VIEW LITIGATION**

Motion of defendants Showtime Networks Inc., and Showtime Digital Inc., to transfer the following actions to the United States District Court for the Southern District of New York:

Central District of California

FERRANDINI, ET AL. v. ZUFFA, LLC, ET AL., C.A. No. 2:17-06781

Southern District of California

GARCIA v. SHOWTIME NETWORKS INC., ET AL., C.A. No. 3:17-01803

District of Nevada

PARK v. ZUFFA, LLC, ET AL., C.A. No. 2:17-02282  
RILEY, ET AL. v. ZUFFA, LLC, ET AL., C.A. No. 2:17-02308

Southern District of New York

MALLH v. SHOWTIME NETWORKS INC., C.A. No. 1:17-06549  
VANCE v. SHOWTIME NETWORKS INC., ET AL., C.A. No. 1:17-06894  
DAAS, ET AL. v. NEULION, INC., ET AL., C.A. No. 1:17-06944

District of Oregon

BARTEL v. SHOWTIME NETWORKS INC., C.A. No. 3:17-01331

MDL No. 2807 – **IN RE: SONIC CORP. CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Motion of plaintiffs Denise Ramirez and Caitlin Gilmore to transfer the following actions to the United States District Court for the Western District of Oklahoma:

District of Nevada

DOLEMBO v. SONIC CORP., C.A. No. 2:17-02524

Western District of Oklahoma

GILMORE v. SONIC CORP., C.A. No. 5:17-01032  
RAMIREZ v. SONIC CORP., C.A. No. 5:17-01044  
LEWIN, ET AL. v. SONIC CORP., C.A. No. 5:17-01047

District of Oregon

VANDERZANDEN, ET AL. v. SONIC CORP., C.A. No. 3:17-01528

MDL No. 2808 – **IN RE: ANTHONY SPENCER GREEN, SR. LITIGATION**

Motion of plaintiff Anthony Spencer Green, Sr., to transfer the following actions to a single United States district court:

Northern District of Illinois

GREEN v. ANN & ROBERT H. LURIE CHILDREN'S MEMORIAL HOSPITAL,  
ET AL., C.A. No. 1:16-09954

Western District of Texas

GREEN v. GAMEZ, C.A. No. 5:16-01159

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

**MDL No. 2047 – IN RE: CHINESE-MANUFACTURED DRYWALL PRODUCTS  
LIABILITY LITIGATION**

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

Southern District of Mississippi

DESCHER, ET AL. v. KNAUF GIPS KG, ET AL., C.A. No. 1:17-00249

**MDL No. 2434 – IN RE: MIRENA IUD PRODUCTS LIABILITY LITIGATION**

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

Northern District of Indiana

DENNY, ET AL. v. DOE, ET AL., C.A. No. 3:17-00661

Eastern District of Missouri

ALLEN, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS INC.,  
C.A. No. 4:17-02026

ATKINS, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS INC.,  
C.A. No. 4:17-02028

HILLIARD, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS INC.,  
ET AL., C.A. No. 4:17-02030

JONES, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS INC.,  
C.A. No. 4:17-02032

JONES, ET AL. v. BAYER HEALTHCARE PHARMACEUTICALS INC.,  
C.A. No. 4:17-02034

MDL No. 2570 – **IN RE: COOK MEDICAL, INC., IVC FILTERS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Janet E. Tew, Dorothy A. Pierce, and Roseanne Lowther-Berman and defendant Albeir Y. Mousa, M.D. to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

Central District of California

TEW v. RICE, ET AL., C.A. No. 2:17-06351

Eastern District of California

PIERCE v. FRINK, ET AL., C.A. No. 2:17-01731

Southern District of West Virginia

LOWTHER-BERMAN v. COOK INCORPORATED, ET AL., C.A. No. 2:17-03852

MDL No. 2599 – **IN RE: TAKATA AIRBAG PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Adam M. Apton to transfer of the following action to the United States District Court for the Southern District of Florida:

District of District of Columbia

APTON v. VOLKSWAGEN OF AMERICA, INC., ET AL., C.A. No. 1:17-01490

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Patrick Jackson, et al., to transfer of the following action to the United States District Court for the Northern District of California:

Eastern District of Virginia

JACKSON, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:17-00405

MDL No. 2734 – **IN RE: ABILIFY (ARIPRAZOLE) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Eric J. Stiggle, Sr., and John Derek Ginsberg to transfer of their respective following actions to the United States District Court for the Northern District of Florida:

District of Connecticut

STIGGLE v. BRISTOL-MYERS SQUIBB CO., C.A. No. 3:17-01387

District of Massachusetts

GINSBERG v. BRISTOL MYERS SQUIBB CO., ET AL., C.A. No. 1:17-11606

MDL No. 2738 – **IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS 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 District of New Jersey:

Northern District of Illinois

BAKER v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-06595

MORRILL v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-06791

MAY v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-06794

JAMES v. JOHNSON & JOHNSON, ET AL., C.A. No. 1:17-06800

Eastern District of Louisiana

LIGHTFOOT v. JOHNSON & JOHNSON, ET AL., C.A. No. 2:17-08698

COMARDELLE v. JOHNSON & JOHNSON, ET AL., C.A. No. 2:17-08720

Middle District of Louisiana

AIKENS v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:17-00561

MOUTON v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:17-00617

SANSONE v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:17-00618

Western District of Louisiana

PECK v. JOHNSON & JOHNSON, ET AL., C.A. No. 2:17-01125

Eastern District of Pennsylvania

KLEINER, ET AL. v. RITE AID CORPORATION, ET AL., C.A. No. 2:17-03975

MDL No. 2740 – **IN RE: TAXOTERE (DOCETAXEL) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Betty Butler to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

District of Delaware

BUTLER v. SANOFI U.S. SERVICES, INC., ET AL., C.A. No. 1:17-01057

MDL No. 2754 – **IN RE: ELIQUIS (APIXABAN) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Larry Grubb, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

District of Delaware

GRUBB, ET AL. v. BRISTOL-MYERS SQUIBB COMPANY, ET AL.,  
C.A. No. 1:17-01018

MDL No. 2777 – **IN RE: CHRYSLER-DODGE-JEEP ECODIESEL MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Mark E. Brennan to transfer of the following action to the United States District Court for the Northern District of California:

District of Colorado

BRENNAN v. FCA US, LLC, ET AL., C.A. No. 1:17-02077

MDL No. 2785 – **IN RE: EPIPEN (EPINEPHRINE INJECTION, USP) MARKETING, SALES PRACTICES AND ANTITRUST LITIGATION**

Oppositions of plaintiffs Elan Klein, et al., and defendants Express Scripts Holding Co., et al.; Mylan, N.V., et al.; and Prime Therapeutics, LLC to transfer of the following action to the United States District Court for the District of Kansas:

District of Minnesota

KLEIN, ET AL. v. PRIME THERAPEUTICS, LLC, ET AL., C.A. No. 0:17-01884

MDL No. 2789 – **IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY  
LITIGATION (NO. II)**

Opposition of defendant Novartis Consumer Health, Inc., to transfer of the following  
action to the United States District Court for the District of New Jersey:

Eastern District of Tennessee

STOUT v. TAKEDA PHARMACEUTICAL COMPANY LIMITED, ET AL.,  
C.A. No. 2:17-00093

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.

(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.