

# UNITED STATES OF AMERICA JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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

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Southern District of New York

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United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States Court of Appeals  
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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

**DIRECT REPLY TO**

Michael J Beck  
Clerk of the Panel  
One Columbus Circle, NE  
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Judiciary Building  
Room G-255, North Lobby  
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**MAIL**

April 22, 2003

**APR 28 2003**

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY *[Signature]*

Bruce Rifkin, Clerk  
215 William Kenzo Nakamura  
U S Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104-1130

Re MDL-1407 - In re Phenylpropanolamine Products Liability Litigation

(See Attached Schedule A of Order)

Dear Mr Rifkin

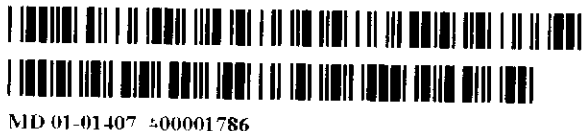
A conditional transfer order was filed in the actions listed on the attached schedule on March 19, 2003 Prior to the expiration of that order's fifteen-day stay, and, pursuant to Rule 7 4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F R D 425, 435 (2001), opposition to the proposed transfer was filed and the conditional transfer order was stayed until further order of the Panel. A request for withdrawal of the previously-filed opposition to the proposed transfer has been received by this office and an order is being filed lifting the stay of the conditional transfer order and transferring the actions to your district pursuant to 28 U S C § 1407. I am enclosing a certified copy of today's order lifting the stay.

A list of involved counsel is attached

Very truly,

Michael J Beck  
Clerk of the Panel

By *[Signature]*  
Deputy Clerk



Enclosures

cc Transferee Judge Judge Barbara Jacobs Rothstein  
Transferor Judges Judge Harold A Ackerman, Judge William G Bassler,  
Judge Dickinson R Debevoise, Judge Joseph A Greenaway, Jr ,  
Transferor Clerk Judge Katharine S Hayden, Judge Joel A Pisano  
William T Walsh

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**A CERTIFIED TRUE COPY**

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ATTEST  
FOR THE JUDICIAL PANEL OF  
MULTIDISTRICT LITIGATION

**DOCKET NO. 1407**

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE A)**

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER**

A conditional transfer order was filed in the ten actions listed on the attached Schedule A on March 19, 2003. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in the ten actions filed a notice of opposition to the proposed transfer. These plaintiffs have now advised the Panel that they withdraw their initial opposition to the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-27" filed on March 19, 2003, is LIFTED insofar as it relates to the ten actions listed on the attached Schedule A, and thus these actions are transferred to the Western District of Washington for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Barbara Jacobs Rothstein

FOR THE PANEL

*Michael J. Beck*

Michael J Beck  
Clerk of the Panel

**SCHEDULE A**

MDL-1407 — In re Phenylpropanolamine (PPA) Products Liability Litigation

District of New Jersey

*Deborah Gwin v. The Delaco Co , et al , C A. No 2 03-340*  
*Diane Sopala v The Delaco Co , et al , C A No 2 03-341*  
*Janey Hudkins v The Delaco Co , et al , C A No 2 03-343*  
*Lillie Ringer v. The Delaco Co , et al , C.A No 2 03-344*  
*Mary Pierce v Chattem, Inc., et al , C A. No 2.03-346*  
*Antoinette Mellia, et al v The Delaco Co , et al , C A No 2 03-347*  
*Janet S Gregory v. The Delaco Co , et al., C.A No 2 03-348*  
*Suzanne Debrowolsky, et al v. Chattem, Inc , et al , C A No 2 03-349*  
*Pamela Hagen, et al v The Delaco Co , et al , C A No 2 03-350*  
*Betty Jo Kingston v The Delaco Co , et al , C A No 2-03-351*

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**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

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*[Signature]*

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U S Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104-1130

Re MDL-1407 - In re Phenylpropanolamine Products Liability Litigation

*Evone Walker v Eckered Drugs, et al*, S D Mississippi, C A No 3 03-183

Dear Mr Rifkin

A conditional transfer order was filed in the above-captioned action on March 19, 2003 Prior to the expiration of that order's fifteen-day stay, opposition to the proposed transfer was filed and, pursuant to Rule 7 4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F R D 425, 435 (2001), the conditional transfer order was stayed until further order of the Panel Inasmuch as the opposing party has failed to file the required motion and brief to vacate the conditional transfer order, an order is being filed lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U S C § 1407 I am enclosing a certified copy of today's order lifting the stay

A list of involved counsel is attached

Very truly,

Michael J Beck  
Clerk of the Panel

By *[Signature]*  
Deputy Clerk

Enclosures

cc Transferee Judge Judge Barbara Jacobs Rothstein  
Transferor Judge Judge William H Barbour, Jr  
Transferor Clerk J T Noblin

JPML Form 68



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MULTIDISTRICT LITIGATION

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BY DEPUTY

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

*Evone Walker v Eckerd Drugs, et al*, S D. MISSISSIPPI, C A. No 3.03-183

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER**

A conditional transfer order was filed in this action (*Walker*) on March 19, 2003. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiff in *Walker* filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-27" filed on March 19, 2003, is LIFTED insofar as it relates to this action, and thus the action is transferred to the Western District of Washington for inclusion in the coordinated or consolidated pretrial proceedings under 28 U S C § 1407 being conducted by the Honorable Barbara Jacobs Rothstein.

FOR THE PANEL

*Michael J. Beck*

Michael J Beck  
Clerk of the Panel

**INVOLVED COUNSEL LIST**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

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