

UNITED STATES OF AMERICA JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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United States District Court
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United States Court of Appeals
Sixth Circuit

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

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April 25, 2003

Bruce Rifkin, Clerk
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APR 29 2003

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

Re MDL-1407 -- In re Phenylpropanolamine Products Liability Litigation

Kevin Graw v Bristol-Myers Squibb Co , et al , S D Illinois, C A No 3 02-1256
Barbara Ward v Wyeth Consumer Healthcare, Ltd , et al , S D Illinois, C A No 3 02-1260

Dear Mr Rifkin

A conditional transfer order was filed in the above-captioned actions on February 12, 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

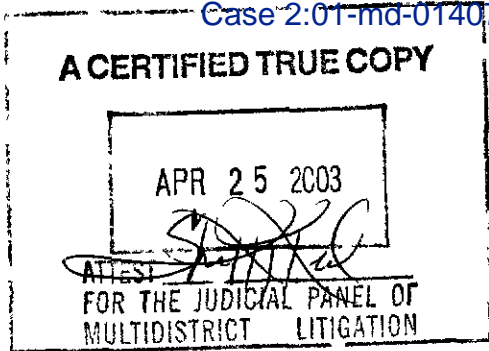
cc Transferee Judge Judge Barbara Jacobs Rothstem
Transferor Judges Judge G Patrick Murphy, Judge William D Stiehl
Transferor Clerk Norbert G Jaworski

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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**

Kevin Graw v Bristol-Myers Squibb Co, et al, S D Illinois, C A No 3,02-1256
Barbara Ward v Wyeth Consumer Healthcare, Ltd, et al., S D Illinois,
C A No 3 02-1260

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER
AND VACATING THE MAY 29, 2003 HEARING SESSION**

A conditional transfer order was filed in these two actions (*Graw* and *Ward*) on February 12, 2003. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in *Graw* and *Ward* filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. Plaintiffs have now advised the Panel that they withdraw their initial opposition to transfer of *Graw* and *Ward*.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-26" filed on February 12, 2003, is LIFTED insofar as it relates to these two actions, and thus the 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.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on April 11, 2003, are VACATED insofar as they relate to these two actions.

FOR THE PANEL



Wm Terrell Hodges
Chairman

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

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