

A CERTIFIED TRUE COPY

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAR 29 2004

MAR 11 2004

FILED
CLERK'S OFFICE

ATTORNEY
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

DOCKET NO. 1477

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

ENTERED

IN RE: *HERZOG* PRODUCTS LIABILITY LITIGATION

APR - 1 2004

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-21)

TERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

On August 12, 2002, the Panel transferred six 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. Since that time, 98 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 which 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 12, 2002, 217 F.Supp.2d 1372 (J.P.M.L. 2002), 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 fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

MAR 29 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Michael J. Beck

Michael J. Beck
Clerk of the Panel

A TRUE COPY CERTIFIED ON

APR - 1 2004

TERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

By *Teresa L. Deppner* Deputy

**SCHEDULE CTO-21 - TAG ALONG CASES
DOCKET NO. 1477
IN RE SERZONE PRODUCTS LIABILITY LITIGATION**

DISTRICT DIV. CIVIL ACTION#

ALABAMA NORTHERN ALN 6 04-133	Gary Bridgeman v. Bristol-Myers Squibb Co.	CA 2:04-0313
CALIFORNIA CENTRAL CAC 5 04-218	Mitchell Young v. Bristol-Myers Squibb Co.	CA 2:04-0314
GEORGIA NORTHERN GAN 1 03-3715	Wannell Smith, et al. v. Bristol-Myers Squibb Co., Inc.	CA 2:04-0315
ILLINOIS SOUTHERN ILS 3 04-3	Nancy Quigley, et al. v. Bristol-Myers Squibb Co., Inc.	CA 2:04-0316
NEW JERSEY NJ 3 04-227	Denise Ely-Palaia, et al. v. Bristol-Myers Squibb Co., et al.	CA 2:04-0317
TEXAS NORTHERN TXN 3 04-21	Pamela Marie Anderson, et al. v. Bristol-Myers Squibb Co.	CA 2:04-0318

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

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

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First 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

Judge Kathryn H. Vrtil
United States District Court
District of Kansas

DIRECT REPLY TO:

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March 29, 2004

Ronald D. Lawson, Clerk
Post Office Box 3869
Charleston, WV 25338-3869

Re: MDL-1477 -- In re Serzone Products Liability Litigation

(See Attached Schedule CTO-21)

Dear Mr. Lawson:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on March 11, 2004. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

BY 
Deputy Clerk

Attachments

cc: Transferee Judge: Judge Joseph R. Goodwin
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

MAR 11 2004

FILED
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DOCKET NO. 1477

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE SERZONE PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-21)

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FOR THE PANEL:



Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

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MULTIDISTRICT LITIGATION

SCHEDULE CTO-21 - TAG ALONG CASES
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IN RE SERZONE PRODUCTS LIABILITY LITIGATION

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ALABAMA NORTHERN

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GEORGIA NORTHERN

GAN 1 03-3715

Wannell Smith, et al. v. Bristol-Myers Squibb Co., Inc.

ILLINOIS SOUTHERN

ILS 3 04-3

Nancy Quigley, et al. v. Bristol-Myers Squibb Co., Inc.

NEW JERSEY

NJ 3 04-227

Denise Ely-Palaia, et al. v. Bristol-Myers Squibb Co., et al.

TEXAS NORTHERN

TXN 3 04-21

Pamela Marie Anderson, et al. v. Bristol-Myers Squibb Co.

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DOCKET NO. 1477
IN RE SERZONE PRODUCTS LIABILITY LITIGATION

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INVOLVED JUDGES LIST (CTO-21)
DOCKET NO. 1477
IN RE SERZONE PRODUCTS LIABILITY LITIGATION

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402 E. State Street
Trenton, NJ 08608

Hon. Paul W. Greene
U.S. Magistrate Judge
U.S. Post Office & Courthouse
101 Holmes Avenue, N.E.
Huntsville, AL 35801

Hon. David R. Herndon
U.S. District Judge
P.O. Box 259
E. St. Louis, IL 62202-0259

Hon. Ed Kinkeade
U.S. District Judge
U.S. Courthouse
1100 Commerce Street
Room 1625
Dallas, TX 75242

Hon. Robert J. Timlin
U.S. District Judge
George E. Brown, Jr. U.S. Courthouse
3470 Twelfth Street
Riverside, CA 92501

Hon. Thomas W. Thrash, Jr.
U.S. District Judge
2188 Richard B. Russell Federal
Building & U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303-3361

INVOLVED CLERKS LIST (CTO-21)
DOCKET NO. 1477
IN RE SERZONE PRODUCTS LIABILITY LITIGATION

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14A20 Earle Cabell Federal
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2211 Richard B. Russell Fed.
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Atlanta, GA 30303-3361

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140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
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Sherri R. Carter, Clerk
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