# BEFORE THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

In re Pradaxa (Dabigatran Etexilate) Products Liability Litigation MDL No. 2385

Oral Argument Requested

#### SUPPLEMENTAL INFORMATION

Defendant Boehringer Ingelheim Pharmaceuticals, Inc. (BIPI) respectfully submits this Supplemental Information in advance of the hearing on this matter on July 26, 2012. This brief is provided to advise the Judicial Panel on Multidistrict Litigation (the Panel) as to new developments since BIPI submitted its Response. (Def. Resp., ECF No. 54, 6/21/2012)

#### I. OVERVIEW OF SUPPLEMENTAL INFORMATION

BIPI's Supplemental Information addresses three issues. First, BIPI brings to the Panel's attention the newly released data in the MDL Statistics Report, issued July 10, 2012 and attached as Exhibit 1, which undermines Plaintiffs' purported basis for centralizing these cases in the Southern District of Illinois. Second, BIPI provides the Panel information about the status of the Pradaxa litigation since filing its Response. Third, BIPI addresses the *Lexecon* argument that has been raised by various Plaintiffs in Interested Party Responses.

#### II. NEWLY RELEASED DATA

In its previously filed Response, BIPI provided the Panel with certain key data from the MDL Statistics Report, dated May 14, 2012. (Resp. at pp. 3, 13-19) BIPI explained that the Plaintiffs' requested forum, the Southern District of Illinois, is not suitable for a number of reasons, including its docket conditions. Specifically, when BIPI's Response was filed, the Southern District of Illinois was home to the then second-largest MDL in the United States, *In re Yasmin*. (Resp. at 3, 17-19).

Those statistics have become even more compelling. On July 10, 2012, the Panel released its most recent MDL Statistics Report, which demonstrates that the number of pending actions in *In re Yasmin* has increased since BIPI filed its Response. While the May 2012 report showed 8,715 actions in *In re Yasmin*, the July 2012 report reveals that the number of pending actions in that MDL has since grown to 8,825. With this increase, In re Yasmin has surpassed a long-standing asbestos MDL in the Eastern District of Pennsylvania (MDL No. 875) and **now** has the highest number of pending actions in any MDL in the entire United States. Out of 308 active MDL dockets, located in 56 transferee districts, *In re Yasmin* has the #1 highest caseload.1

These data stand in stark contrast to Plaintiffs' suggestions that *In re Yasmin* is essentially over. Whatever the status of any settlement discussions in those thousands of cases, it cannot be disputed that the Southern District of Illinois is presently responsible for handling the largest MDL in the United States. In comparison to the other federal districts across the country that would be well-suited to take on an MDL, the Southern District of Illinois is not an appropriate transferee district.

#### III. CURRENT STATUS OF THE PRADAXA LITIGATION

#### New cases continue to be filed across the country. Α.

When BIPI's Response was filed, there were 30 cases pending in 14 different districts. (Resp. at pp. 6-9) Since that time, several new cases have been filed across the country. To date, there are 47 cases pending in 21 different federal district courts. (Sched. of Actions, ECF No. 1-2; Notices of Related Actions, ECF Nos. 14, 19, 27, 34, 40, 46, 79, 85, 88)<sup>2</sup> Therefore, the Panel

The Southern District of Illinois also has the highest judgeship-to-action ratio in the United States. (Resp. at 3, 17-19)

This number also includes filings made as recently as July 19, 2012.

has the opportunity to select from any number of appropriate transferee districts—and as BIPI has explained, the District of Connecticut has the most meaningful nexus to the litigation.

In contrast, the cases filed in the Southern District of Illinois are no more than a purposeful attempt to aggressively file in one district to influence the MDL process. Plaintiffs' tactics become even more pronounced in light of the new filings. When BIPI filed its Response, the Southern District of Illinois cases represented 52% of the then-filed Pradaxa cases. Now, just a few weeks later, the filing of additional Pradaxa actions across the country has dramatically lowered the Southern District of Illinois proportion—it is now reduced to 36% of the currently filed actions.<sup>3</sup>

#### B. All Pradaxa cases are in their infancy.

In addition, the Southern District of Illinois litigation is not more advanced than other actions. BIPI has filed Rule 12(b)(6) Motions to Dismiss in 18 different cases—including those filed in the Southern District of Illinois—because the complaints fail to satisfy applicable federal pleading standards and require dismissal under applicable federal and/or state law.<sup>4</sup> To date, no district court has issued a decision on BIPI's dispositive motions.<sup>5</sup>

As noted in BIPI's Response, two of the 12 cases in the Southern District of Illinois were filed by plaintiffs who are not from Illinois. In addition, on July 18, 2012, five more cases were filed in that district—again, with no plaintiffs from Illinois. Notably, if the non-Illinois-plaintiffs cases are not considered, the overall percentage of actions in the Southern District of Illinois drops to 21%.

<sup>&</sup>lt;sup>4</sup> In the other cases currently pending, service has not been accomplished or the Court has issued a stay of proceedings.

One of the Plaintiffs' submissions states that Judge Herndon, in the Southern District of Illinois, "has ruled on preliminary motions," indicating that he is an "interested jurist." (ECF No. 70 at 11) This is not an accurate representation of the procedural background of those cases, and the Plaintiffs who offered that assessment are not parties to that action. Rather, the only motion ruled on by Judge Herndon is a motion denying BIPI's Motion to Stay the proceedings pending a decision from this Panel. *See* footnote 9, *infra*.

Notably, *both* sides—Plaintiffs in some cases, and BIPI in others—have requested stays of the proceedings pending the Panel's determination on the Motion to Transfer the Pradaxa cases to an MDL. For instance, in the Northern District of Ohio, Plaintiffs moved for a stay, and the request was granted without objection from BIPI.<sup>6</sup> In the Middle District of Tennessee, BIPI moved to stay with agreement of Plaintiffs' counsel, and the Court granted the request.<sup>7</sup> In the Eastern District of Louisiana, a request for stay filed by the Plaintiff is pending, and BIPI does not intend to file any objection.<sup>8</sup> In contrast, in the Southern District of Illinois—which, again, is the MDL location of choice for most Plaintiffs—BIPI moved to stay the proceedings in light of the Panel's forthcoming hearing on the Motion to Transfer, but Plaintiffs opposed BIPI's Motion and the Court denied the stay.<sup>9</sup>

As this procedural background shows, Plaintiffs have taken inconsistent positions with respect to stay of the proceedings. The tactical purpose behind Plaintiffs' actions is readily apparent, and their strategy is akin to Plaintiffs' filing of cases in one district, the Southern District of Illinois, timed to correspond with their request for an MDL in that district. As these efforts have shown, even though the Southern District of Illinois cases are not among the first-filed actions in Pradaxa, Plaintiffs are aggressively seeking to advance the proceedings in those cases alone—as is apparent from their refusal to consent to a stay—and argue that those cases are the most advanced. Such actions bear no reasonable relation to the expected distribution of these cases and they should not be countenanced.

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<sup>&</sup>lt;sup>6</sup> Gennaro v. Boehringer Ingelheim Pharmaceuticals, Inc. et al., No. 1:12-cv-1382 (N.D. Ohio, ECF No. 7) (Marginal Entry Order granting Plaintiffs' Motion to Stay).

<sup>&</sup>lt;sup>7</sup> Scott v. Boehringer Ingelheim Pharmaceuticals, Inc. et al., No. 3:12-cv-480 (M.D. Tenn., ECF No. 18) (Order granting Motion to Stay).

<sup>&</sup>lt;sup>8</sup> Hawthorne v. Boehringer Ingelheim Pharmaceuticals, Inc. et al., No. 2:12-cv-1203 (E.D. La., ECF No. 12) (Plaintiff's Motion to Stay).

<sup>&</sup>lt;sup>9</sup> E.g., *Boston v. Boehringer Ingelheim Pharmaceuticals, Inc. et al.*, No. 3:12-cv-610 (S.D. Ill., ECF Nos. 18 (BIPI's Motion to Stay), 22 (Order denying Motion to Stay)).

#### IV. PLAINTIFFS' NEW ARGUMENTS

A. The Panel considers proximity to the common defendant to be a pertinent factor in selecting a transferee district.

The only common defendant, BIPI, has its headquarters in Connecticut, yet Plaintiffs contend that "[t]he location of the Defendants' headquarters is not a significant factor in selecting a transferee district." (E.g., ECF No. 74, p. 9-10)<sup>10</sup> In so arguing, Plaintiffs disregard Panel decisions that frequently cite the location of the common defendant's headquarters/principal place of business as a pertinent consideration. The Panel has unquestionably considered the proximity of the defendant—especially a sole, common defendant—to be an important factor in selecting the appropriate transferee district. This recognition is evident in Panel decisions dating as far back as the 1960s to as recently as just three months ago. See, e.g., In re Propecia (Finasteride) Prods. Liab. Litig., MDL No. 2331 (Order, 4/16/2012, ECF No. 37) ("[b]ecause Merck is headquartered in nearby Whitehouse Station, New Jersey, the Eastern District of New York is close to where relevant evidence and witnesses are likely located"); In Re Darvocet, Darvon & Propoxyphene Prods. Liab. Litig., MDL No. 2226, 780 F. Supp.2d 1379, 1382 (J.P.M.L. 2011) ("[r]elevant documents and witnesses likely are located within the Eastern District of Kentucky at defendant Xanodyne's Newport headquarters."); In re Fosamax (Alendronate Sodium) Prods. Liab. Litig. (No. II), 787 F. Supp.2d 1355, 1356 (J.P.M.L. 2011) (selecting the District of New Jersey where "[t]he

Plaintiffs' sole citation to authority, *In re Library Editions of Children's Books*, 297 F. Supp. 385, 386-87 (J.P.M.L. 1968) does not support their argument. In that case, the Panel did *not reject* the defendants' request to place the MDL in a location that was central to their industry. Instead, the Panel determined that other factors, including issues such as the pendency of grand jury actions and an order requiring a centrally located document depository in Chicago, warranted transfer to the Northern District of Illinois. The Panel ultimately found that factors specific to those cases favored a particular transferee district that was, in fact, the nexus of the litigation. Plaintiffs' authority thus has no application to the Pradaxa litigation.

headquarters, witnesses and documents of the common defendant, Merck, are located within the District of New Jersey . . . . "); In re: Optimal Strategic U.S. Equity Fund Sec. Litig., MDL No. 2073, 648 F.Supp.2d 1388, 1389 (J.P.M.L. 2009) ("[w]e are persuaded that the Southern District of Florida is an appropriate transferee district. Common defendant Banco Santander International is headquartered in that district and two actions are already pending there, including the firstfiled action."); In Re Avandia Marketing, Sales Practices & Prods. Liab. Litig., 528 F. Supp. 2d 1339, 1341 (J.P.M.L. 2007) ("[w]e are also persuaded that the Eastern District of Pennsylvania is an appropriate transferee district for pretrial proceedings in this litigation. GSK's principal place of business is located in that district, and thus many witnesses and documents relevant to the litigation are likely to be found there."); In re Cessna 208 Series Aircraft Prods. Liab. Litig., 408 F.Supp.2d 1349, 1350 (J.P.M.L. 2005) ("[w]e conclude that the District of Kansas is an appropriate forum in this docket for the following reasons: i) the district is likely to be the location of significant discovery because sole common defendant Cessna is headquartered there"); In re Sundstrand Data Control, Inc. Patent Litig., 443 F. Supp. 1019, 1021 (J.P.M.L. 1978) ("The Western District of Washington . . . has a substantial connection to the common factual questions raised in the litigation. SDC's principal place of business is located in that district, and it is undisputed that many of the ground proximity warning system's chief inventors reside there.....[W]e are persuaded that most of the relevant documents and witnesses on the central issue of the validity of SDC's patents are located in the vicinity of that district."); In re Protection Devices & Equipment & Central Station Protection Serv., 295 F. Supp. 39, 40 (J.P.M.L. 1968) (transferring cases to the Southern District of New York and stating that "[i]t appears that most of the relevant documents are in New York and most of the defendants have their principal offices there."). Consistent with these cases—and scores of other decisions by the Panel selecting a transferee district that has a nexus to the litigation, such as the defendant's headquarters—the District of Connecticut stands out as a particularly well-suited choice here.

#### B. Plaintiffs' new arguments about *Lexecon* are unavailing.

Two of the Plaintiffs' Interested Party Responses, both filed the same day, assert that "centralization in the District of Connecticut would create 'potential issues' under *Lexecon Inc.*v. Millberg Weiss." (ECF No. 70, 74) Plaintiffs seem to argue that a lack of diversity of citizenship between Connecticut plaintiffs and BIPI would prevent a transferee court located in the District of Connecticut from presiding "over any MDL trials involving Connecticut plaintiffs and as such might be unable to preside over any trials." (E.g., ECF No. 70 at p. 13) Most significantly, Plaintiffs do not cite any Panel decision where a hypothetical *Lexecon* argument was cited, let alone relied on, in selecting a proper transferee district. There is no authority for Plaintiffs' position. 11

First, acceptance of Plaintiffs' argument would effectively write a new limiting provision into 28 U.S.C. § 1407. The statute provides that "[w]hen civil actions involving one or more common questions of fact are pending in different districts, such actions may be transferred *to any district* for coordinated or consolidated pretrial proceedings." 28 U.S.C. § 1407(a) (emphasis added). Taken to its logical conclusion, Plaintiffs' argument would substantially

Plaintiffs conflate and confuse the distinct principles of subject matter jurisdiction (here, diversity jurisdiction) and venue. It is axiomatic that where complete diversity does not exist between plaintiff(s) and defendant(s), a federal district court may not exercise subject matter jurisdiction based on diversity. 28 U.S.C. § 1332(a)(1). This fundamental issue of federal court jurisdiction is in no way unique to the District of Connecticut; this bedrock principle applies equally to all federal district courts, period. Plaintiffs also ignore the availability of a viable forum for Connecticut plaintiffs who bring an action against BIPI. Indeed, there is currently a state court action in Connecticut that has been assigned to the Hartford Complex Litigation Docket, HHD-CV12-6033138-S. To this point, transferring an MDL to the District of Connecticut actually weighs *in favor* of a recognized factor for the Panel's consideration: the potential for state-federal coordination of proceedings. (Resp. at p. 11-12)

curtail the Panel's statutory authority to centralize cases in "any district" as Section 1407 explicitly permits, by prohibiting centralization in any transferee district that is home to any defendant corporation's principal place of business or state(s) of incorporation. Congress has not included such a limitation on this Panel's authority. *Cf. Lexecon*, 523 U.S. at 40 (explaining that the proper forum to resolve issues about Section 1407 "remains the floor of Congress").

Second, Plaintiffs' argument ignores the scores of cases—including pharmaceutical product liability actions—where the Panel has selected a transferee district located in the same state as the common defendants' headquarters. For instance, the Fosamax litigation is in New Jersey, home to Merck; the Darvocet litigation is in Kentucky, home to Xanodyne; the Avandia litigation is in Pennsylvania, home to GlaxoSmithKline. *See* Section IV(A), *supra*. Not only is Plaintiffs' contention contrary to the terms of Section 1407—it would result in the Panel abandoning one of its core criteria related to convenience of the parties and witnesses and proximity to documents, often located at or near the defendant's headquarters. *See id*.

Third, Plaintiffs' argument asks this Panel to look into the future, possibly years down the road, and forecast what the parties and the transferee court may ultimately decide about bellwether trials. This argument goes far beyond the Panel's determination, under 28 U.S.C. § 1407(a), to decide whether centralization is appropriate and, if so, what transferee district should be chosen. *See Lexecon*, 523 U.S. at 40 (explaining that Section 1407 "affects only the pretrial stages in multidistrict litigation;" the statute does not affect the place of trial in any case or exclude the possibility of transfer under other statutes). Finally, the argument ignores common practice, being employed with increasing frequency, of trying bellwether cases in various locations. Plaintiffs' speculative contention lacks authority, misapplies the distinct issues of

diversity jurisdiction and venue, and has no bearing on the instant issue—i.e., the proper transferee district for purposes of centralization of pretrial proceedings under Section 1407.

#### V. CONCLUSION

Given the foregoing, pertinent factors weigh in favor of the District of Connecticut and soundly against the Southern District of Illinois. BIPI respectfully requests that the Panel transfer all Pradaxa actions to the United States District Court for the District of Connecticut or, in the alternative, the Eastern District of Tennessee or the Eastern District of Kentucky. BIPI prays for all other relief to which it is entitled.

Respectfully submitted this the 20th day of July, 2012.

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#### **CERTIFICATE OF SERVICE**

Pursuant to Rule 4.1(a) of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, I hereby certify that the foregoing document was served on July 20, 2012, via CM/ECF. The JPML's Notice of Electronic (NEF) filing shall constitute service of pleadings on registered counsel.

Further, under Rule 4.1(a), counsel or parties who are identified by NEF as having no email address must be mailed hard copies via first-class United States mail. As of the date of this Service, this rule applies to the following:

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Finally, a Courtesy Copy of the foregoing shall be delivered to the Clerk of the Panel within one business day, in accordance with Rule 3.2(d).

/s/Orlando R. Richmond, Sr.
Orlando R. Richmond, Sr.

Report Date: 7/10/2012

United States Judicial Panel on Multidistrict Litigation

### MDL Statistics Report - Distribution of Pending MDL Dockets

MDL Filters: Status: Transferred

Limited to Active Litigations

District	Judge (Title)	Docket No.	Litigation	Actions Now Pending	Total Actions (Historical)
ALN	Inge P Johnson (U.S. District Judge)	MDL - 2092	IN RE: Chantix (Varenicline) Products Liability Litigation	2,583	2,914
ARE	Billy Roy Wilson (Sr. District Judge)	MDL - 1507	IN RE: Prempro Products Liability Litigation	6,281	9,760
AZ	James A Teilborg (U.S. District Judge)	MDL - 2119	IN RE: Mortgage Electronic Registration Systems (MERS) Litigation	2	92
CAC	Cormac J Carney (U.S. District Judge)	MDL - 2172	IN RE: Toyota Motor Corp. Hybrid Brake Marketing, Sales Practices, and Products Liability Litigation	12	14
	David O Carter (U.S. District Judge)	MDL - 2145	IN RE: Medical Capital Securities Litigation	3	13
	Dale S Fischer (U.S. District Judge)	MDL - 2274	IN RE: CitiMortgage, Inc., Home Affordable Modification Program (HAMP) Contract Litigation	11	11
	Andrew J. Guilford (U.S. District Judge)	MDL - 2008	IN RE: Land Rover LR3 Tire Wear Products Liability Litigation	4	9
	Andrew J. Guilford (U.S. District Judge)	MDL - 2093	IN RE: DIRECTV, Inc., Early Cancellation Fee Marketing and Sales Practices Litigation	8	12
	Philip S Gutierrez (U.S. District Judge)	MDL - 2074	IN RE: WellPoint, Inc., Out-of-Network "UCR" Rates Litigation	8	11
	Robert Gary Klausner (U.S. District Judge)	MDL - 1816	IN RE: Katz Interactive Call Processing Patent Litigation	12	54
	Margaret M Morrow (U.S. District Judge)	MDL - 1980	IN RE: Toys "R" Us - Delaware, Inc., Fair and Accurate Credit Transactions Act (FACTA) Litigation	2	2
	Margaret M Morrow (U.S. District Judge)	MDL - 2291	IN RE: Wesson Oil Marketing and Sales Practices Litigation	7	7
	S. James Otero (U.S. District Judge)	MDL - 1891	IN RE: Korean Air Lines Co., Ltd., Antitrust Litigation	1	74
	Mariana R Pfaelzer (Sr. District Judge)	MDL - 2265	IN RE: Countrywide Financial Corp. Mortgage-Backed Securities Litigation	25	25
	Dean D Pregerson (U.S. District Judge)	MDL - 2199	IN RE: POM Wonderful LLC Marketing and Sales Practices Litigation	21	22
	James V Selna (U.S. District Judge)	MDL - 2151	IN RE: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation	354	392
	Christina A Snyder (U.S. District Judge)	MDL - 2317	IN RE: Oreck Corporation Halo Vacuum and Air Purifiers Marketing and Sales Practices Litigation	6	6
	Stephen V Wilson (U.S. District Judge)	MDL - 1745	IN RE: Live Concert Antitrust Litigation	22	22
	George H Wu (U.S. District Judge)	MDL - 2007	IN RE: Aftermarket Automotive Lighting Products Antitrust Litigation	6	9
	George H Wu (U.S. District Judge)	MDL - 2153	IN RE: United Parcel Service "Air-in-Ground" Marketing and Sales Practices Litigation	5	5
	George H Wu (U.S. District Judge)	MDL - 2302	IN RE: A-Power Energy Generation Systems, Ltd., Securities Litigation	5	5
CAN	Charles R Breyer (Sr. District Judge)	MDL - 1699	IN RE: Bextra and Celebrex Marketing, Sales Practices and Products Liability Litigation	33	2,192
	Charles R Breyer (Sr. District Judge)	MDL - 1913	IN RE: Transpacific Passenger Air Transportation Antitrust Litigation	25	25
	Charles R Breyer (Sr. District Judge)	MDL - 2159	IN RE: AutoZone, Inc., Wage and Hour Employment Practices Litigation	5	6
	Edward M. Chen (U.S. District Judge)	MDL - 2330	IN RE: Carrier IQ, Inc., Consumer Privacy Litigation	67	67
	Maxine M Chesney (Sr. District Judge)	MDL - 2032	IN RE: Chase Bank USA, N.A., "Check Loan" Contract Litigation	30	34
	Samuel Conti (Sr. District Judge)	MDL - 1917	IN RE: Cathode Ray Tube (CRT) Antitrust Litigation	51	53
	Edward J. Davila (U.S. District Judge)	MDL - 2314	IN RE: Facebook Internet Tracking Litigation	29	29
	Phyllis J Hamilton (U.S. District Judge)	MDL - 1486	IN RE: Dynamic Random Access Memory (DRAM) Antitrust Litigation	26	52
	Phyllis J Hamilton (U.S. District Judge)	MDL - 2029	IN RE: Online DVD Rental Antitrust Litigation	13	66
	Thelton E Henderson (Sr. District Judge)	MDL - 2269	IN RE: Bank of America Credit Protection Marketing and Sales Practices Litigation	8	8
	Susan Yvonne Illston (U.S. District Judge)	MDL - 1827	IN RE: TFT-LCD (Flat Panel) Antitrust Litigation	144	155
	Susan Yvonne Illston (U.S. District Judge)	MDL - 2124	IN RE: Conseco Life Insurance Co. Lifetrend Insurance Marketing and Sales Practices Litigation	1	4
	Lucy H. Koh (U.S. District Judge)	MDL - 2250	IN RE: iPhone/iPad Application Consumer Privacy Litigation	19	19
	Richard G. Seeborg (U.S. District Judge)	MDL - 1987	IN RE: Webkinz Antitrust Litigation	5	5
	Richard G. Seeborg (U.S. District Judge)	MDL - 2143	IN RE: Optical Disk Drive Products Antitrust Litigation	38	38
	James Ware (Chief Judge, USDC)	MDL - 2028	IN RE: Edward H. Okun Internal Revenue Service § 1031 Tax Deferred Exchange Litigation	2	3
	James Ware (Chief Judge, USDC)	MDL - 2045	IN RE: Apple iPhone 3G Products Liability Litigation	11	13
	James Ware (Chief Judge, USDC)	MDL - 2184	IN RE: Google Inc. Street View Electronic Communications Litigation	19	19
	Jeffrey S White (U.S. District Judge)	MDL - 2264	IN RE: Google Inc. Android Consumer Privacy Litigation	11	11
	Ronald M Whyte (Sr. District Judge)	MDL - 2188	IN RE: Apple Inc. iPhone 4 Marketing, Sales Practices and Products Liability Litigation	18	18
	Claudia Wilken (U.S. District Judge)	MDL - 1819	IN RE: Static Random Access Memory (SRAM) Antitrust Litigation	73	84
CAS	Michael M. Anello (U.S. District Judge)	MDL - 2286	IN RE: Midland Credit Management, Inc., Telephone Consumer Protection Act Litigation	4	4
	Anthony J. Battaglia (U.S. District Judge)	MDL - 2258	IN RE: Sony Gaming Networks and Customer Data Security Breach Litigation	65	65
	Roger T Benitez (U.S. District Judge)	MDL - 1889	IN RE: Peregrine Systems, Inc., Securities Litigation	1	35
	Roger T Benitez (U.S. District Judge)	MDL - 2245	IN RE: Cardtronics ATM Fee Notice Litigation	7	8
	Larry Alan Burns (U.S. District Judge)	MDL - 2121	IN RE: Musical Instruments and Equipment Antitrust Litigation	34	38
	John A Houston (U.S. District Judge)	MDL - 2295	IN RE: Portfolio Recovery Associates, LLC, Telephone Consumer Protection Act Litigation	7	7
	Jeffrey T Miller (Sr. District Judge)	MDL - 2261	IN RE: Jiffy Lube International, Inc., Text Spam Litigation	7	7
	Barry Ted Moskowitz (Chief Judge, USDC)	MDL - 2087	IN RE: Hydroxycut Marketing and Sales Practices Litigation	115	122
	Dana M Sabraw (U.S. District Judge)	MDL - 2238	IN RE: Groupon, Inc., Marketing and Sales Practices Litigation	17	18
CO	John L Kane, Jr (Sr. District Judge)	MDL - 2063	IN RE: Oppenheimer Rochester Funds Group Securities Litigation	30	30
CT	Alvin W Thompson (Chief Judge, USDC)	MDL - 1894	IN RE: U.S. Foodservice, Inc., Pricing Litigation	1	3
DC	Rosemary M Collyer (U.S. District Judge)	MDL - 1880	IN RE: Papst Licensing Digital Camera Patent Litigation	9	15
	Paul L Friedman (Sr. District Judge)	MDL - 1869	IN RE: Rail Freight Fuel Surcharge Antitrust Litigation	7	18

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	Ellen Segal Huvelle (U.S. District Judge)	MDL - 2254	IN RE: LivingSocial Marketing and Sales Practices Litigation	6	6
	Richard J Leon (U.S. District Judge)	MDL - 1668	IN RE: Federal National Mortgage Association Securities, Derivative & "ERISA" Litigation	2	18
	Emmet G Sullivan (U.S. District Judge)	MDL - 1993	IN RE: Polar Bear Endangered Species Act Listing and § 4(d) Rule Litigation	6	12
	Emmet G Sullivan (U.S. District Judge)	MDL - 2165	IN RE: Endangered Species Act Section 4 Deadline Litigation	13	15
	Robert L. Wilkins (U.S. District Judge)	MDL - 2360	IN RE: Science Applications International Corp. (SAIC) Backup Tape Data Theft Litigation	8	8
DE	Sue L Robinson (U.S. District Judge)	MDL - 2358	IN RE: Google Inc. Cookie Placement Consumer Privacy Litigation	20	20
	Gregory M Sleet (Chief Judge, USDC)	MDL - 2200	IN RE: Armodafinil Patent Litigation	6	8
	Gregory M Sleet (Chief Judge, USDC)	MDL - 2344	IN RE: Bear Creek Technologies, Inc., ('722) Patent Litigation	15	15
	Leonard P Stark (U.S. District Judge)	MDL - 1717	IN RE: Intel Corp. Microprocessor Antitrust Litigation	57	82
FLM	Anne C Conway (Chief Judge, USDC)	MDL - 1769	IN RE: Seroquel Products Liability Litigation	2	8,272
	Paul A Magnuson (Sr. District Judge)	MDL - 1824	IN RE: Tri-State Water Rights Litigation	7	7
	James S Moody, Jr (Sr. District Judge)	MDL - 1626	IN RE: Accutane (Isotretinoin) Products Liability Litigation	17	68
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	Benita Y. Pearson (U.S. District Judge)	MDL - 2316	IN RE: Ford Motor Co. Spark Plug and 3-Valve Engine Products Liability Litigation	6	6
	Dan A Polster (U.S. District Judge)	MDL - 1909	IN RE: Gadolinium Contrast Dyes Products Liability Litigation	270	721
	Dan A Polster (U.S. District Judge)	MDL - 2066	IN RE: Oral Sodium Phosphate Solution-Based Products Liability Litigation	7	195
	Dan A Polster (U.S. District Judge)	MDL - 2319	IN RE: Bayer Healthcare LLC and Merial Limited Flea Control Products Marketing and Sales Practices Litigation	10	10
	Jack Zouhary (U.S. District Judge)	MDL - 2196	IN RE: Polyurethane Foam Antitrust Litigation	44	78
OHS	Sandra S Beckwith (Sr. District Judge)	MDL - 2050	IN RE: Bill of Lading Transmission and Processing System Patent Litigation	0	14
	Gregory L Frost (U.S. District Judge)	MDL - 2233	IN RE: Porsche Cars North America, Inc., Plastic Coolant Tubes Products Liability Litigation	8	8
	James L Graham (Sr. District Judge)	MDL - 1565	IN RE: National Century Financial Enterprises, Inc., Investment Litigation	5	22
OKW	Robin J Cauthron (U.S. District Judge)	MDL - 2048	IN RE: Cox Enterprises, Inc., Set-Top Cable Television Box Antitrust Litigation	1	22
	Robin J Cauthron (U.S. District Judge)	MDL - 2309	IN RE: Transdata, Inc., Smart Meters Patent Litigation	9	9
	Stephen P Friot (U.S. District Judge)	MDL - 1564	IN RE: Farmers Insurance Co., Inc., FCRA Litigation	6	12

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	Joseph R Goodwin (Chief Judge, USDC)	MDL - 2327	IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation	600	602
	Joseph R Goodwin (Chief Judge, USDC)	MDL - 2326	IN RE: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation	397	397
	Joseph R Goodwin (Chief Judge, USDC)	MDL - 2325	IN RE: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation	689	689
WVS	Joseph R Goodwin (Chief Judge, USDC)	MDL - 2187	IN RE: C.R. Bard, Inc., Pelvic Repair System Products Liability Litigation	843	845
	Lee H Rosenthal (U.S. District Judge)	MDL - 2046	IN RE: Heartland Payment Systems, Inc., Customer Data Security Breach Litigation	33	33
	Gray H. Miller (U.S. District Judge)	MDL - 2266	IN RE: Wells Fargo Wage and Hour Employment Practices Litigation (No. III)	4	4
	Melinda Harmon (U.S. District Judge)	MDL - 1446	IN RE: Enron Corp. Securities, Derivative & "ERISA" Litigation	8	199
TXS	Keith P Ellison (U.S. District Judge)	MDL - 2185	IN RE: BP p.l.c. Securities Litigation	12	21
	James Edgar Kinkeade (U.S. District Judge)	MDL - 2244	IN RE: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation	1,472	1,474
	David C Godbey (U.S. District Judge)	MDL - 2099	IN RE: Stanford Entities Securities Litigation	89	102
TXN	Jane J Boyle (U.S. District Judge)	MDL - 1983	IN RE: Indianapolis Life Insurance Company I.R.S. § 412(i) and § 419 Plans Life Insurance Marketing Litigation	4	9
TXE	Leonard E Davis (Chief Judge, USDC)	MDL - 2355	IN RE: Parallel Networks, LLC, ('111) Patent Litigation	9	9
	Jon P McCalla (Chief Judge, USDC)	MDL - 2234	IN RE: Wal-Mart ATM Fee Notice Litigation	10	11
	Samuel H Mays, Jr (U.S. District Judge)	MDL - 2009	IN RE: Regions Morgan Keegan Securities, Derivative and Employee Retirement Income Security Act (ERISA) Litigation	28	57
TNW	J. Daniel Breen (U.S. District Judge)	MDL - 1551	IN RE: Reciprocal of America (ROA) Sales Practices Litigation	18	19
TNM	Todd J Campbell (Chief Judge, USDC)	MDL - 1760	IN RE: Aredia and Zometa Products Liability Litigation	470	667
	J. Ronnie Greer (U.S. District Judge)	MDL - 1899	IN RE: Southeastern Milk Antitrust Litigation	2	7
TNE	Curtis Lynn Collier (Chief Judge, USDC)	MDL - 2343	IN RE: Skelaxin (Metaxalone) Antitrust Litigation	11	11
	David C Norton (U.S. District Judge)	MDL - 2333	IN RE: MI Windows and Doors, Inc., Products Liability Litigation	5	5
	David C Norton (U.S. District Judge)	MDL - 1785	IN RE: Bausch & Lomb Inc. Contact Lens Solution Products Liability Litigation	22	482
	J Michelle Childs (U.S. District Judge)	MDL - 2283	IN RE: Building Materials Corporation of America Asphalt Roofing Shingle Products Liability Litigation	12	12
SC	Joseph F Anderson, Jr (U.S. District Judge)	MDL - 2054	IN RE: LandAmerica 1031 Exchange Services, Inc., Internal Revenue Service § 1031 Tax Deferred Exchange Litigation	2	4
RI	Mary M Lisi (Chief Judge, USDC)	MDL - 1842	IN RE: Kugel Mesh Hernia Patch Products Liability Litigation	1.955	2,061
	Gary L Lancaster (Chief Judge, USDC)	MDL - 1674	IN RE: Community Bank of Northern Virginia Mortgage Lending Practices Litigation	4	8
	Nora Barry Fischer (Sr. District Judge)	MDL - 2354	IN RE: Maxim Integrated Products, Inc., Patent Litigation	18	18
	Joy Flowers Conti (U.S. District Judge)	MDL - 2056	IN RE: Enterprise Rent-A-Car Wage & Hour Employment Practices Litigation	15	15
	Donetta W Ambrose (Sr. District Judge)	MDL - 2021	IN RE: Le-Nature's, Inc., Commercial Litigation	6	8
PAW	Donetta W Ambrose (Sr. District Judge)	MDL - 1942	IN RE: Flat Glass Antitrust Litigation (No. II)	1	27
PAM	Christopher C Conner (U.S. District Judge)	MDL - 1912 MDL - 1935	IN RE: Chocolate Confectionary Antitrust Litigation	90	92
	R. Barclay Surrick (Sr. District Judge)	MDL - 1912	IN RE: Fasteners Antitrust Litigation	35	35
	Berle M Schiller (U.S. District Judge)	MDL - 2107	IN RE: Royal Affance Associates, inc., Securities Enganon IN RE: Budeprion XL Marketing and Sales Practices Litigation	6	10
	Juan R Sanchez (U.S. District Judge)	MDL - 2337	IN RE: Royal Alliance Associates, Inc., Securities Litigation	9	9
	Cynthia M Rufe (U.S. District Judge)  Cynthia M Rufe (U.S. District Judge)	MDL - 1871 MDL - 2342	IN RE: Avandia Marketing, Sales Practices and Products Liability Litigation  IN RE: Zoloft (Sertraline Hydrochloride) Products Liability Litigation	3,815	138
	Cynthia M Rufe (U.S. District Judge)	MDL - 875 MDL - 1871	IN RE: Asbestos Products Liability Litigation (No. VI)  IN RE: Avandia Marketing, Sales Practices and Products Liability Litigation	3,815	4,573
	Gene E.K. Pratter (U.S. District Judge) Eduardo C Robreno (U.S. District Judge)	MDL - 2284 MDL - 875	IN RE: Imprelis Herbicide Marketing, Sales Practices and Products Liability Litigation IN RE: Asbestos Products Liability Litigation (No. VI)	7,560	191,849
	Gene E.K. Pratter (U.S. District Judge)	MDL - 2002	IN RE: Processed Egg Products Antitrust Litigation	19	100
	Thomas N. O'Neill, Jr (Sr. District Judge)	MDL - 2270	IN RE: CertainTeed Fiber Cement Siding Litigation	11 19	11 30
	Mary A McLaughlin (U.S. District Judge)	MDL - 2190	IN RE: McNeil Consumer Healthcare, et al., Marketing and Sales Practices Litigation	10	10
	J. Curtis Joyner (Chief Judge, USDC)	MDL - 2235	IN RE: Foot Locker, Inc., Fair Labor Standards Act (FLSA) and Wage and Hour Litigation	•	-
	C. Darnell Jones, II (U.S. District Judge)	MDL - 1782	IN RE: Pharmacy Benefit Managers Antitrust Litigation	5 5	6 5
	Jan E DuBois (Sr. District Judge)	MDL - 2081	IN RE: Blood Reagents Antitrust Litigation	32	34
	Legrome D Davis (U.S. District Judge)	MDL - 1684	IN RE: Plastics Additives Antitrust Litigation (No. II)	13	14
	Anita B Brody (Sr. District Judge)	MDL - 2323	IN RE: National Football League Players' Concussion Injury Litigation	89	90
	Anita B Brody (Sr. District Judge)	MDL - 2034	IN RE: Comcast Corp. Set-Top Cable Television Box Antitrust Litigation	24	24
PAE	Harvey Bartle, III (U.S. District Judge)	MDL - 1203	IN RE: Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products Liability Litigation	103	20,186
OR	Michael W Mosman (U.S. District Judge)	MDL - 2053	IN RE: Helicopter Crash Near Weaverville, California, on August 5, 2008	8	20

Total Number of MDL Dockets: 308 Total Number of Transferee Districts: 56

Total Number of Transferee Judges: 227
27 Chief Judge, USDC
65 Sr. District Judge
2 U.S. Circuit Judge

133 U.S. District Judge