

**BEFORE THE
UNITED STATE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

IN RE: Lipitor (Atorvastatin Calcium)
Marketing, Sales Practices and
Products Liability Litigation

MDL NO. 2459

**PLAINTIFF WALTINA GADSDEN'S RESPONSE TO
THE MOTION OF PLAINTIFFS FOR TRANSFER OF ACTIONS TO THE DISTRICT
COURT OF SOUTH CAROLINA PURSUANT TO 28 U.S.C. § 1407
FOR COORDINATED OR CONSOLIDATED PRETRIAL PROCEEDINGS**

Pursuant to 28 U.S.C. § 1407 and the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, Plaintiff, Waltina Gadsden, hereby responds to Movants' request to transfer all product liability actions involving Lipitor. Plaintiff agrees that transfer is useful, necessary, and supported by the numerous common questions of fact in the Related Actions. Further, Plaintiff agrees that transfer for pretrial purposes would serve "the convenience of the parties and witnesses" and "promote the just and efficient conduct of the actions" as required by 28 U.S.C. § 1407.

Undersigned counsel presently represents plaintiff, Waltina Gadsden, in a Lipitor product liability action, currently pending in the District of South Carolina. In addition to Ms. Gadsden's case, undersigned counsel's firm has received more than 2,000 inquiries from women from all over the United States who have developed type 2 diabetes following their ingestion of Lipitor. Of those inquiries, undersigned counsel can say with a reasonable degree of confidence that approximately 500 of those women will have strong claims against Pfizer and whose cases will be filed in federal courts across the United States (*See* Affidavit of Robert K. Jenner, attached as Exhibit 1).

Plaintiff agrees that coordinated and consolidated proceedings with the *Smalls* action in the District of South Carolina would provide the best venue for this matter. There are 11 Lipitor actions (*Smalls, Kane, Turner, Clark, Knight, Williams, Papcun, Fernandez, Adams, Joyce Jones, and Marguerite Jones*) pending in the District of South Carolina. Further, the District of South Carolina is a convenient forum, easily accessed from all over the country. Undersigned counsel supports that location as the principal jurisdiction for consolidation and transfer.

WHEREFORE, Plaintiff respectfully requests, pursuant to 28 U.S.C. § 1407, that the Panel enter an Order transferring the pending actions, as well as any related actions that might later be filed, to the United States District Court for the District of South Carolina for coordinated and consolidated pretrial proceedings.

Dated: July 15, 2013

Respectfully submitted,

JANET, JENNER & SUGGS, LLC

/s/ Kenneth M. Suggs

Kenneth M. Suggs (SC Fed. Bar No. 3422)
Robert K. Jenner (MD Fed. Bar No. 04165)
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Counsel for Waltina Gadsden

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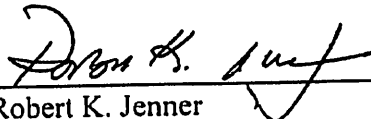
AFFIDAVIT OF ROBERT K. JENNER

Comes now the affiant, Robert K. Jenner, and after being duly cautioned and sworn, states as follows:

1. I, Robert K. Jenner, am an attorney in Baltimore, Maryland and am licensed to practice in the State of Maryland and the District of Columbia.
2. As of July 11, 2013, my firm has received more than 2,300 inquires from women interested in pursuing claims against Pfizer, Inc. The overwhelming majority of these women have reported that they have developed diabetes while using Lipitor.
3. I can say with a reasonable degree of confidence that, based on the information presently known to me, more than 500 of those inquiries will meet the criteria of my firm and these women will have viable cases to file against Pfizer, Inc. By necessity, these cases will be filed in federal courts across the United States.

Further Affiant saith naught.

I hereby certify that the foregoing is true to the best of my knowledge, information, and belief, and is based on my personal knowledge.

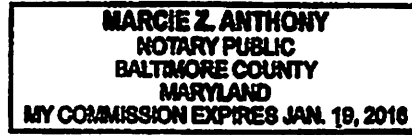

Robert K. Jenner

COUNTY OF BALTIMORE :
: SS
STATE OF MARYLAND :

Subscribed and sworn to before me, a Notary Public
in and for the State of Maryland, this 11th day of
July, 2013 by Robert K. Jenner.

Marcie Z Anthony
NOTARY PUBLIC

My Commission Expires: 1/19/16



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PROOF OF SERVICE

I hereby certify that a copy of Plaintiff, Waltina Gadsden's Response to the Motion of Plaintiffs for Transfer of Actions to the District Court of South Carolina Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceedings and this Certificate of Service was served by First-Class Mail on July 15, 2013 to the following:

Clerk of the Panel, United States Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, NE, Room G-255, North Lobby
Washington, DC 20002

Clerk, United States District Court for the District of South Carolina –
Charleston
Charleston Federal Courthouse
85 Broad Street
Charleston, SC 29401

Clerk, United States District Court for the Eastern District of Virginia
Fernando Galindo
Walter E. Hoffman U.S. Courthouse
600 Granby Street, Room 193-B
Norfolk, VA 23510

Clerk, United States District Court for the Southern District of Illinois
Nancy J. Rosenstengle
301 West Main Street
Benton, IL 62812

Clerk, United States District Court for the Northern District of Illinois

Everett McKinley Dirksen
 United States Courthouse
 219 South Dearborn Street
 Chicago, IL 60604

Clerk, United States District Court for the Middle District of Louisiana
 777 Florida Street, Suite 139
 Baton Rouge, LA 70801-1712

Clerk, United States District Court for the Southern District of Mississippi
 Dan M. Russell, Jr., United States Courthouse
 2012 15th Street, Suite 403
 Gulfport, MS 39501

Attorneys / Unrepresented Parties	Case / Parties Represented
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<p>Amanda S. Kitts Nelson Mullins Riley and Scarborough P.O. Box 11070 Columbia, SC 29211 803-799-2000</p>	<p>Counsel for Defendant: <i>HINES v. Pfizer, Inc.</i>, S.D. Ill., No. 3:13-cv-00404; <i>EHLERS v. Pfizer, Inc.</i>, S.D. Ill., No. 3:13-cv-00468-JPG-SCW; <i>KNIGHT v. Pfizer, Inc.</i>, D. SC, No. 13-01375; <i>KANE v. Pfizer,</i></p>

<p>Fax: 803-256-7500 amanda.kitts@nelsonmullins.com</p>	<p><i>Inc.</i>, D. SC, No. 2:13-cv-1012-RMG; <i>SMALLS v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-796-RMG; <i>TURNER v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-01108-RMG; <i>CLARK v. Pfizer, Inc.</i>, D. SC, No. 13-01164; <i>PAPCUN v. Pfizer, Inc.</i>, D. SC, No. 13-01422; <i>FERNANDEZ v. Pfizer, Inc.</i>, D. SC, No. 13-01423; <i>WILLIAMS v. Pfizer, Inc.</i>, D. SC, No. 13-01421; <i>COLBERT v. Pfizer, Inc.</i>, E.D. Va., No. 2:13cv178</p>
<p>David Eidson Dukes Nelson Mullins Riley and Scarborough 1310 Main St. Suite 17 Columbia, SC 29201 803-255-9451 Fax: 803-256-7500 david.dukes@nelsonmullins.com</p>	<p>Counsel for Defendant: <i>HINES v. Pfizer, Inc.</i>, S.D. Ill., No. 3:13-cv-00404; <i>CHRISTOPHER v. Pfizer, Inc.</i>, M.D. La., No. 3:13-cv-00306-BAJ-RLB; <i>EHLERS v. Pfizer, Inc.</i>, S.D. Ill., No. 3:13-cv-00468-JPG-SCW; <i>KNIGHT v. Pfizer, Inc.</i>, D. SC, No. 13-01375; <i>KANE v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-1012-RMG; <i>SMALLS v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-796-RMG; <i>TURNER v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-01108-RMG; <i>CLARK v. Pfizer, Inc.</i>, D. SC, No. 13-01164; <i>PAPCUN v. Pfizer, Inc.</i>, D. SC, No. 13-01422; <i>FERNANDEZ v. Pfizer, Inc.</i>, D. SC, No. 13-01423; <i>WILLIAMS v. Pfizer, Inc.</i>, D. SC, No. 13-01421; <i>COLBERT v. Pfizer, Inc.</i>, E.D. Va., No. 2:13cv178</p>
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	<p>cv-1012-RMG; <i>SMALLS v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-796-RMG; <i>TURNER v. Pfizer, Inc.</i>, D. SC, No. 2:13-cv-01108-RMG; <i>CLARK v. Pfizer, Inc.</i>, D. SC, No. 13-01164; <i>PAPCUN v. Pfizer, Inc.</i>, D. SC, No. 13-01422; <i>FERNANDEZ v. Pfizer, Inc.</i>, D. SC, No. 13-01423; <i>WILLIAMS v. Pfizer, Inc.</i>, D. SC, No. 13-01421; <i>COLBERT v. Pfizer, Inc.</i>, E.D. Va., No. 2:13cv178</p>
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