

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **July 28, 2016**

LOCATION OF HEARING SESSION: United States Courthouse
Courtroom 18A, 18th Floor
700 Stewart Street
Seattle, Washington 98101-1271

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

- 2 -

For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **July 11, 2016**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, United States District for the Western District of Washington

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on July 28, 2016, the Panel will convene a hearing session in Seattle, Washington, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION



Sarah S. Vance
Chair

Marjorie O. Rendell
Lewis A. Kaplan
R. David Proctor

Charles R. Breyer
Ellen Segal Huvelle
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION
July 28, 2016 -- Seattle, Washington

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

MDL No. 2719 – **IN RE: THE HONEST COMPANY, INC., SODIUM LAURYL
SULFATE (SLS) MARKETING AND SALES PRACTICES
LITIGATION**

Motion of plaintiff Staci Seed to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

SEED v. THE HONEST COMPANY, INC., C.A. No. 2:16-01835
ALHADEFF v. THE HONEST COMPANY, INC., C.A. No. 2:16-02361
ALIANO, ET AL. v. THE HONEST COMPANY, C.A. No. 2:16-02394
GOMEZ v. THE HONEST COMPANY, INC., C.A. No. 2:16-02439

Southern District of California

GLOVER v. THE HONEST COMPANY, INC., ET AL., C.A. No. 3:16-00812

Eastern District of Missouri

SMITH v. THE HONEST COMPANY, INC., C.A. No. 4:16-00406

MDL No. 2720 – **IN RE: UNITED HEALTHCARE SERVICES, INC., HARVONI
(LEDIPASVIR AND SOFOSBUVIR) HEALTH INSURANCE
LITIGATION**

Motion of defendants United Healthcare Services, Inc.; United Healthcare, Inc.; Neighborhood Health Partnership, Inc.; United Healthcare Life Insurance Co.; UnitedHealth Group, Inc.; Optum, Inc.; OptumRx, Inc.; United Healthcare Insurance Company; United Healthcare of Alabama, Inc.; United Healthcare of Arizona, Inc.; United Healthcare of Arkansas, Inc.; United Healthcare of Colorado, Inc.; United Healthcare of Florida, Inc.; United Healthcare of Georgia, Inc.; UnitedHealthcare of Illinois, Inc.; United Healthcare of Louisiana, Inc.; UnitedHealthcare of the Mid-Atlantic, Inc., United Healthcare of the Midlands, Inc., United Healthcare of the Midwest, Inc.; United Healthcare of Mississippi, Inc.; United Healthcare of Nevada, Inc.; UnitedHealthcare of New Jersey, Inc.; UnitedHealthcare of New York, Inc.; UnitedHealthcare of North Carolina, Inc.; United Healthcare of Tennessee, Inc.; United Healthcare of Texas, Inc.; United Healthcare of Utah; UnitedHealthcare of Wisconsin, Inc.; UnitedHealthcare of New England, Inc.; UnitedHealthcare of Ohio, Inc.; United Healthcare of Oregon, Inc.; United Healthcare of Washington, Inc.; United Healthcare of Kentucky, Ltd.; United Healthcare Insurance Company of Illinois; United Healthcare Insurance Company of New York; and United Healthcare Insurance Company of Ohio to transfer the following actions to the United States District Court for the Southern District of Florida:

Northern District of California

MURPHY v. UNITEDHEALTHCARE INSURANCE COMPANY,
C.A. No. 5:15-03799

Southern District of Florida

JONES v. UNITEDHEALTH GROUP, INC., ET AL., C.A. No. 0:15-61144

District of Minnesota

PIEPER v. UNITEDHEALTH GROUP INCORPORATED, ET AL.,
C.A. No. 0:16-00687

MDL No. 2722 – **IN RE: MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
PATENT LITIGATION**

Motion of Time Warner Cable Inc.; Time Warner Cable Enterprises LLC; Time Warner Cable Texas LLC; Bright House Networks, LLC; Charter Communications Inc.; ARRIS Group, Inc.; Ubee Interactive, Inc.; and Brocade Communications Systems, Inc., to transfer the following actions to the United States District Court for the District of Delaware:

District of Delaware

ARRIS GROUP, INC. v. MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, C.A. No. 1:16-00259
UBEE INTERACTIVE, INC. v. MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, C.A. No. 1:16-00260
BRIGHT HOUSE NETWORKS, LLC v. MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, C.A. No. 1:16-00277

Eastern District of Texas

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. TIME WARNER CABLE INC., ET AL., C.A. No. 2:16-00007
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. BRIGHT HOUSE NETWORKS, LLC, ET AL., C.A. No. 2:16-00008
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. CHARTER COMMUNICATIONS, INC., C.A. No. 2:16-00009
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. COX COMMUNICATIONS, INC., C.A. No. 2:16-00010
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. ARUBA NETWORKS, INC., ET AL., C.A. No. 2:16-00012
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. BROCADE COMMUNICATIONS SYSTEMS, INC., C.A. No. 2:16-00013
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. JUNIPER NETWORKS, INC., C.A. No. 2:16-00014
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. RUCKUS WIRELESS, INC., C.A. No. 2:16-00466
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. AEROHIVE NETWORKS, INC., C.A. No. 2:16-00468
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. XIRRUS, INC., C.A. No. 2:16-00471
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. FIRETIDE, INC., C.A. No. 2:16-00474

MDL No. 2724 – IN RE: GENERIC DRUG PRICING ANTITRUST LITIGATION

Motion of plaintiffs International Union of Operating Engineers Local 30 Benefits Fund, NECA-IBEW Welfare Trust Fund, Tulsa Firefighters Health & Welfare Trust, Twin Cities Pipe Trades Welfare Fund, Edward Carpinelli, Fraternal Order of Police, Miami Lodge 20 Insurance Trust Fund, Nina Diamond, UFCW Local 1500 Welfare Fund, and Minnesota Laborers Health and Welfare Fund to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Pennsylvania

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 30 BENEFITS
FUND v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-00990
NECA-IBEW WELFARE TRUST FUND v. ALLERGAN PLC, ET AL.,
C.A. No. 2:16-01371
TULSA FIREFIGHTERS HEALTH AND WELFARE TRUST v. ALLERGAN PLC,
ET AL., C.A. No. 2:16-01388
PIPE TRADES SERVICES MN v. LANNETT COMPANY, INC., ET AL.,
C.A. No. 2:16-01534
CARPINELLI v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-01954
FRATERNAL ORDER OF POLICE, MIAMI LODGE 20, INSURANCE TRUST
FUND v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-02031
DIAMOND v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-02077
UFCW LOCAL 1500 WELFARE FUND v. ALLERGAN PLC, ET AL.,
C.A. No. 2:16-02169
MINNESOTA LABORERS HEALTH AND WELFARE FUND v. LANNETT
COMPANY, INC., ET AL., C.A. No. 2:16-02191

District of Rhode Island

CITY OF PROVIDENCE v. ALLERGAN PLC, ET AL., C.A. No. 1:16-00214

**MDL No. 2725 – IN RE: STARBUCKS CORPORATION MARKETING AND SALES
PRACTICES LITIGATION**

Motion of defendant Starbucks Corporation to transfer the following actions to the United States District Court for the Western District of Washington:

Northern District of California

STRUMLAUF, ET AL. v. STARBUCKS CORPORATION, C.A. No. 3:16-01306

Northern District of Illinois

PINCUS v. STARBUCKS CORPORATION, C.A. No. 1:16-04705

Southern District of New York

CRITTENDEN v. STARBUCKS CORPORATION, C.A. No. 1:16-03496

MDL No. 2726 - **IN RE: MERCY HEALTH EMPLOYEE RETIREMENT INCOME
SECURITY ACT (ERISA) LITIGATION**

Motion of defendants Mercy Health, Mercy Health Benefits Committee, and Mercy Health Stewardship Committee to transfer the following actions to the United States District Court for the Eastern District of Missouri:

Eastern District of Missouri

GRASLE v. MERCY HEALTH, ET AL., C.A. No. 4:16-00651

Western District of Oklahoma

SANZONE, ET AL. v. MERCY HEALTH, ET AL., C.A. No. 5:16-00478

MDL No. 2727 - **IN RE: 3M COMPANY LAVA ULTIMATE PRODUCTS LIABILITY
LITIGATION**

Motion of plaintiffs Vikram Bhatia, D.D.S., et al., to transfer the following actions to the United States District Court for the District of Minnesota:

Southern District of Florida

LAZARO FERNANDEZ, DDS, P.A. v. 3M COMPANY, C.A. No. 1:16-21490

District of Minnesota

BHATIA, ET AL. v. 3M COMPANY, C.A. No. 0:16-01304

MDL No. 2728 – **IN RE: PETROBRAS SECURITIES LITIGATION**

Motion of defendants Petróleo Brasileiro S.A. – Petrobras, Petrobras Global Finance B.V., and Petrobras International Finance Company S.A. to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of New York

PACIFIC FUNDS, ET AL. v. PETROLEO BRASILEIRO S.A., ET AL.,
C.A. No. 1:16-02013
ALTAMIMI v. PETROLEO BRASILEIRO S.A.–PETROBRAS, ET AL.,
C.A. No. 1:16-02686

Eastern District of Pennsylvania

VANGUARD INTERNATIONAL EQUITY INDEX FUND, ET AL. v. PETROLEO
BRASILEIRO S.A.–PETROBRAS, ET AL., C.A. No. 2:15-06283

MDL No. 2729 – **IN RE: BMW I3 WITH RANGE EXTENDER MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Dean Rollolazo, et al., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

TSOAR v. BMW OF NORTH AMERICA, LLC, ET AL., C.A. No. 2:16-03386
ROLLOLAZO, ET AL. v. BMW OF NORTH AMERICA, LLC, ET AL.,
C.A. No. 8:16-00966

District of New Jersey

GREEN v. BMW OF NORTH AMERICA, LLC, ET AL., C.A. No. 2:16-03065

MDL No. 2730 – **IN RE: JAY PEAK, VERMONT, EB-5 INVESTOR LITIGATION**

Motion of plaintiffs James B. Shaw, et al., to transfer the following actions to the United States District Court for the District of Vermont:

Southern District of Florida

DACCACHE v. RAYMOND JAMES FINANCIAL, INC., ET AL.,

C.A. No. 1:16-21575

HILLER SANCHEZ v. RAYMOND JAMES & ASSOCIATES, INC., ET AL.,

C.A. No. 1:16-21643

District of Vermont

SHAW, ET AL. v. RAYMOND JAMES FINANCIAL, INC., ET AL.,

C.A. No. 5:16-00129

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 1880 – IN RE: PAPT LICENSING DIGITAL CAMERA PATENT LITIGATION

Motion of defendant ZTE (USA), Inc., to transfer the following action to the United States District Court for the District of Columbia:

Eastern District of Texas

PAPT LICENSING GMBH & CO., KG v. ZTE CORPORATION, ET AL.,
C.A. No. 6:15-01100

MDL No. 2158 – IN RE: ZIMMER DUROM HIP CUP PRODUCTS LIABILITY LITIGATION

Opposition of plaintiff Dennis Douglas to transfer of the following action to the United States District Court for the District of New Jersey:

Northern District of Illinois

DOUGLAS v. ZIMMER US, INC., ET AL., C.A. No. 1:16-04722

MDL No. 2272 – IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY LITIGATION

Opposition of plaintiff Ernie Lee Calbart to transfer of the following action to the United States District Court for the Northern District of Illinois:

District of Colorado

CALBART v. ZIMMER, INC., ET AL., C.A. No. 1:16-00210

MDL No. 2295 – **IN RE: PORTFOLIO RECOVERY ASSOCIATES, LLC, TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Scott C. Piller to transfer of the following action to the United States District Court for the Southern District of California:

Middle District of Florida

PILLER v. PORTFOLIO RECOVERY ASSOCIATES, LLC, C.A. No. 2:16-00124

MDL No. 2323 – **IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION**

Opposition of plaintiff Chelesa C. Oliver to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Illinois

OLIVER v. RIDDELL, INC., ET AL., C.A. No. 1:16-04760

MDL No. 2326 – **IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Tamara Stokely, et al., to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Eastern District of Texas

STOKELY, ET AL. v. CUNNINGHAM, ET AL., C.A. No. 1:16-00139

MDL No. 2493 – **IN RE: MONITRONICS INTERNATIONAL, INC., TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Michael C. Worsham to transfer of the following action to the United States District Court for the Northern District of West Virginia:

District of Maryland

WORSHAM v. ALLIANCE SECURITY, INC., ET AL., C.A. No. 1:16-01285

MDL No. 2591 – **IN RE: SYNGENTA AG MIR162 CORN LITIGATION**

Opposition of plaintiffs Leroy Tweet, et al., to transfer of the following action to the United States District Court for the District of Kansas:

Southern District of Illinois

TWEET, ET AL. v. SYNGENTA AG, ET AL., C.A. No. 3:16-00255

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs James Rogers, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Eastern District of Missouri

ROGERS, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,
C.A. No. 4:16-00484

MDL No. 2657 – **IN RE: ZOFTRAN (ONDANSETRON) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Julie Burnett to transfer of the following action to the United States District Court for the District of Massachusetts:

District of Minnesota

BURNETT v. GLAXOSMITHKLINE LLC., ET AL., C.A. No. 0:16-01137

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of California:

Middle District of Alabama

THREADGILL v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 2:16-00223

Northern District of Alabama

POUNDS v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:16-00561
HESS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 2:16-00668
HYCHE v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 6:16-00560

District of Arizona

BRNOVICH v. VOLKSWAGEN AG, ET AL., C.A. No. 2:16-01426

Central District of California

WHALEN, ET AL. v. VENTURA VOLKSWAGEN, ET AL., C.A. No. 2:16-03074
WILKIE, ET AL. v. VOLKSWAGEN OF DOWNTOWN LOS ANGELES, ET AL.,
C.A. No. 2:16-03087
KESSLER, ET AL. v. VENTURA VOLKSWAGEN, ET AL., C.A. No. 2:16-03161
MORAN, ET AL. v. PARKWAY VOLKSWAGEN, ET AL., C.A. No. 2:16-03162
PEJMAN, ET AL. v. LIVINGSTON VOLKSWAGEN, ET AL., C.A. No. 2:16-03163
MILLER, ET AL. v. CARDINALEWAY VOLKSWAGEN, ET AL.,
C.A. No. 5:16-00933
STEVENS, ET AL. v. MOSS BROS VOLKSWAGEN, ET AL., C.A. No. 5:16-00934

Eastern District of California

ALVARADO, ET AL. v. LASHER AUTO GROUP, ET AL., C.A. No. 2:16-00979

Southern District of California

HOWE, ET AL. v. MOSSY VOLKSWAGEN OF ESCONDIDO, ET AL.,
C.A. No. 3:16-00988
CREIGHTON, ET AL. v. AUDI OF SAN DIEGO, ET AL., C.A. No. 3:16-01058
URIE, ET AL. v. BOB BAKER VOLKSWAGEN SUBARU, ET AL.,
C.A. No. 3:16-01089

District of Colorado

JAMES v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01192
BURKHALTER v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01193
LEHMANN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01194

JAMISON v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01195
MENA v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01196
MOOREHOUSE v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01198
JOHNSON v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01199
DERMODY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01200
RIVERA v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01201
SONDERS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01203
KECK v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01204
GLADBACH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01205
JACOBSON v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01207
REILLY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01209
PAGUYO v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-01212

Middle District of Florida

BOTTIGLIERI v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 8:16-00774
BRASWELL, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 8:16-00860
DEROCHEMONT v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 8:16-01139

Southern District of Florida

BORROTO v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 1:16-21433

Northern District of Georgia

REED, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-01388

District of Kansas

BUSTAMANTE, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 2:16-02259

Eastern District of Kentucky

BESHEAR v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 3:16-00027

Eastern District of Louisiana

MCGOWAN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 2:16-02974

District of Maryland

WIRIG v. VOLKSWAGEN AG, ET AL., C.A. No. 1:16-01120
AZRAEL, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-01366
LEID v. VOLKSWAGEN AG, ET AL., C.A. No. 1:16-01577

District of Minnesota

NOUBLEAU, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 0:16-01079
DOSER v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 0:16-01157
LYNCH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01212
MURRAY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01215
NEWGREN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01231
OWENS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01245
PERENDY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01247
SCHRUPP v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01255
VERSCHOOR v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01256
WEISS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 0:16-01308

Eastern District of Missouri

HARRIS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 4:16-00464
LAFOY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 4:16-00466
REHDER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 4:16-00467
RECTOR, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 4:16-00470
WIETHUCHTER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 4:16-00471

Middle District of North Carolina

WILKINS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-00366
STEFFY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-00466

Western District of Texas

CARDENAS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-00555
ARTHUR, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-00568
ZELAZNY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,
C.A. No. 1:16-00591
KENNEDY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-00606
ALLART, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-00616
KINCANNON v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 1:16-00617

Eastern District of Washington

AMBUTE, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 2:16-00159

Western District of Washington

DEINES, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,
C.A. No. 2:16-00703

Southern District of West Virginia

MORRIS v. NEALE, ET AL., C.A. No. 2:16-02847

MDL No. 2677 – **IN RE: DAILY FANTASY SPORTS LITIGATION**

Opposition of plaintiff Erica Miller to transfer of the following action to the United States District Court for the District of Massachusetts:

Eastern District of Tennessee

MILLER, ET AL. v. DRAFTKINGS, INC., C.A. No. 2:16-00103

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned “Reasons Why Oral Argument Should [Need Not] Be Heard” and shall be limited to 2 pages.

- (i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.