07 CV 32 ~~***~~ / 07 CV 77

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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

MEMBERS:
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. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
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May 17, 2007

J. Michael McMahon, Clerk
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: MDL-1603 -- In re Oxycontin Antitrust Litigation

(See Attached CTO-3)

Dear Mr. McMahon:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on May 1, 2007 As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

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."

A list of involved counsel is attached.

(D) Scanned

FILED
MAY 21 2007
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Jimmie Spencer
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Sidney H. Stein
Transferor Judge: Judge Sue L. Robinson
Transferor Clerk: Peter T. Dalleo

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY - 1 2007

FILED
CLERK'S OFFICE

DOCKET NO. 1603

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE OXYCONTIN ANTITRUST LITIGATION

Purdue Pharma L.P., et al. v. KV Pharmaceutical Co., et al., D. Delaware, C.A. No. 1:07-32
Purdue Pharma L.P., et al. v. KV Pharmaceutical Co., D. Delaware, C.A. No. 1:07-77

CONDITIONAL TRANSFER ORDER (CTO-3)

On April 22, 2004, the Panel transferred two civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F. Supp.2d 1388 (J.P.M.L. 2004). Since that time, 14 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Sidney H. Stein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Stein.

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 New York for the reasons stated in the order of April 22, 2004, and, with the consent of that court, assigned to the Honorable Sidney H. Stein.

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 New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

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

MAY 17 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

INVOLVED COUNSEL LIST (CTO-3)
DOCKET NO. 1603
IN RE OXYCONTIN ANTITRUST LITIGATION

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