

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP
IMPLANT PRODUCTS LIABILITY LITIGATION**

MDL No. 2244

**IN RE: WRIGHT MEDICAL TECHNOLOGY, INC., CONSERVE
HIP IMPLANT PRODUCTS LIABILITY LITIGATION**

MDL No. 2329

Elston v. Wright Medical Technologies, et al.,)
S.D. California, C.A. No. 3:12-0134)

MDL No. 2244 CONDITIONAL TRANSFER ORDER (CTO-57)
WITH SEPARATION, REMAND AND
MDL No. 2329 CONDITIONAL TRANSFER ORDER (CTO-2)

On May 23, 2011, the Panel transferred 3 civil actions to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* F.Supp.2d (J.P.M.L. 2011). Since that time, 306 additional actions have been transferred to the Northern District of Texas. With the consent of that court, all such actions have been assigned to the Honorable James Edgar Kinkeade.

On February 8, 2012, the Panel transferred 4 civil action(s) to the United States District Court for the Northern District of Georgia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* F.Supp.2d (J.P.M.L. 2012). Since that time, 12 additional action(s) have been transferred to the Northern District of Georgia. With the consent of that court, all such actions have been assigned to the Honorable William S Duffey, Jr.

It appears that the action on this conditional transfer order comprises claims relating to: (1) the Wright Conserve Hip Implant, which involve common questions of fact with the previously transferred MDL No. 2329 actions; and (2) the DePuy Pinnacle Hip Implant, which involve common questions of fact with the previously transferred MDL No. 2244 actions.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Georgia for the reasons stated in the order of February 8, 2012, and, with the consent of that court, assigned to the Honorable William S Duffey, Jr.

The claims in this action(s) relating to the DePuy Pinnacle Hip Implant are hereby separated and simultaneously remanded, under 28 U.S.C. § 1407(a), to the Southern District of California.

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Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the resulting DePuy Pinnacle Hip Implant action(s) is transferred under 28 U.S.C. §1407 to the Northern District of Texas for the reasons stated in the order of May 23, 2011, and, with the consent of that court, assigned to the Honorable Edgar Kinkeade.

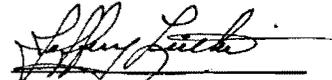
This order does not become effective until it is filed in the offices of: (1) Clerk of the United States District Court for the Northern District of Georgia; and (2) the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerks shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

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

Mar 06, 2012

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

MAR 06 2011

JAMES N. HATTEN, Clerk
