UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

IN RE: **MDL #1626**

ACCUTANE PRODUCTS LIABILITY CASE #8:04-MD-2523-T-30TBM

#8:07-CV-59-T-30TBM

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PRACTICE AND PROCEDURE ORDER UPON TRANSFER PURSUANT TO 28 U.S.C. § 1407(a) AND ORDER REQUIRING ELECTRONIC FILING

1. This Order shall govern the practice and procedure in those actions transferred to this Court by the Judicial Panel on Multi-District Litigation pursuant to their Order, as well as all related actions originally filed in this Court or transferred or removed to this Court. These actions are listed in Schedule "A" attached hereto. This Order shall also govern the practice and procedure in any tag-along actions transferred to this Court by the Judicial Panel on Multi-District Litigation pursuant to Rule 7.5 of the Rules of Procedure of that Panel subsequent to the filing of the final transfer Order by the Clerk of this Court or otherwise transferred or removed to this Court.

2. The actions described in paragraph (1) of this Order are coordinated for pre-trial purposes.

3. All pleadings or papers shall be filed electronically. No copies will be necessary. All papers filed in these actions shall bear the identification "**MDL Docket No.**

1626," and when such paper relates to all these actions, the MDL docket number shall be followed only by the notation "ALL CASES." If such paper does not relate to all of these actions, the individual docket numbers assigned by the Clerk of this Court (as listed in Schedule "A" hereto) of those actions to which the paper relates shall also be listed. If such paper relates to five or fewer actions, the abbreviated caption of each of the actions may be listed opposite its number.

All attorneys appearing before this Court shall begin using the Court's paperless electronic filing system (CM/ECF) within thirty (30) days of their entry of appearance in any action pending before this Court. Counsel are directed to the CM/ECF website located at www.flmd.uscourts.gov where they can request their password from the Court. Counsel are also encouraged to sign up for training classes offered by the Clerk's Office, which can be accessed at the same website under "Training." If counsel reside outside of the Middle District of Florida and are unable to take the training classes, they may educate themselves on proper usage of the program by using the Tutorials offered on the website.

4. Any paper which is to be filed in any of these actions shall be filed with the Clerk of this Court and not with the transferor district court.

5. Counsel who appeared in the transferor district court prior to the transfer need not enter a separate appearance before this Court.

6. Prior to the first pre-trial conference, service of all papers shall be made on each of the attorneys on the Panel Attorney Service List attached hereto as Schedule "B."

Any attorney who wishes to have his/her name added to or deleted from such Panel Attorney Service List may do so upon request to the Clerk of this Court with notice to all other persons on such service list. Service shall be deemed sufficient if made upon all attorneys on the Panel Attorney Service List.

The parties shall present to the Court at the first pre-trial conference a list of attorneys for purposes of service. Only one attorney for each party separately represented shall be included on such list.

7. Prior to the first pre-trial conference, counsel for each group of parties whose interests are similarly aligned shall designate liaison counsel, subject to the approval of the Court. Liaison counsel shall be authorized to receive orders and notices from the court on behalf of all parties within their liaison group and shall be responsible for the preparation and transmittal of copies of such orders and notices to the parties in their liaison group.

Liaison counsel shall be required to maintain complete files with copies of all documents served upon them and shall make such files available to parties within their liaison group upon request. Liaison counsel are also authorized to receive orders and notices from the Judicial Panel on Multi-District Litigation pursuant to Rule 5.29(e) of the Panel's Rules of Procedure on behalf of all parties within their liaison group and shall be responsible for the preparation and transmittal of copies of such orders and notices to the parties in their liaison group.

8. Upon remand of any of these actions, the parties will be required to provide to this Court copies of any necessary and relevant papers previously filed.

9. No parties to any of these actions shall be required to obtain local counsel in this district and the requirements of Rule 2.01 of the Rules of this Court are waived as to any attorney appearing in these actions who is duly admitted to practice before any United States District Court.

10. Hearings shall not be held on any motions filed except by Order of Court upon such notice as the Court may direct.

11. Any paper filed in any of these actions which is substantially identical to any other paper filed in another of these actions shall be sufficient if it incorporates by reference the paper to which it is substantially identical. Where counsel for more than one party plan to file substantially identical papers, they shall join in the submission of such papers and shall file only one paper on behalf of all so joined.

12. Any Orders, including protective Orders previously entered by this Court or any transferor District Court, shall remain in full force and effect unless modified by this Court upon application.

13. The Court will be guided by the Manual for Complex Litigation, Second, approved by the Judicial Conference of the United States and counsel are directed to familiarize themselves with that publication.

DONE and **ORDERED** in Tampa, Florida on January 11, 2007.

James S. Moody, Jr.

JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Attachment:
Schedule "A"
Schedule "B" - Panel Attorney Service List

Copies Furnished To:
Counsel/Parties of Record

S:\MDL-Accutane\Practice&ProcedureOrder.UponTransfer.wpd

A CERTIFIED TRUE COPY

DEC - 8 2006

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

NOV 2 2 2006

FILED
CLERK'S OFFICE

DOCKET NO. 1626

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE ACCUTANE PRODUCTS LIABILITY LITIGATION

Lauren Hudson, et al. v. Hoffman La-Roche, Inc., et al., E.D. Louisiana,
C.A. No. 2:06-9516

CONDITIONAL TRANSFER ORDER (CTO-11)

On November 1, 2004, the Panel transferred four civil actions to the United States District Court for the Middle District of Florida for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 343 F.Supp.2d 1382 (J.P.M.L. 2004). Since that time, 19 additional actions have been transferred to the Middle District of Florida. With the consent of that court, all such actions have been assigned to the Honorable James S. Moody, Jr.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Middle District of Florida and assigned to Judge Moody.

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), this action is transferred under 28 U.S.C. § 1407 to the Middle District of Florida for the reasons stated in the order of November 1, 2004, and, with the consent of that court, assigned to the Honorable James S. Moody, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Middle District of Florida. 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.

DEC - 8 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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DOCKET NO. 1626
IN RE ACCUTANE PRODUCTS LIABILITY LITIGATION

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Thomas B. McCoun, III, referral
Date filed: 11/19/2004 Date of last filing: 01/11/2007

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representing

Richard Pecher
(Plaintiff)

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	Karen Johnson *(Plaintiff)*

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		Hoffman-La Roche Inc *(Defendant)*
		Roche Holding AG *(Defendant)*
		Roche Laboratories, Inc. *(Defendant)*
		Accutane Products Liability *(In Re)*

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	representing	**Hoffman-La Roche Inc** *(Defendant)*

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(Defendant)

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representing

Cheryl T. Joachim
(Plaintiff)

Dorothy Kara Wade
(Plaintiff)

Josiah J. Leisner
(Plaintiff)

Darrell W. Temple
(Plaintiff)

Clay R. Seymour
(Plaintiff)

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representing

F. Hoffman-La Roche Ltd.
(Defendant)

Roche Holding LTD
(Defendant)

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Julie Bishop

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representing *(Plaintiff)*

Justin Reed *(Plaintiff)*

Karen Johnson *(Plaintiff)*

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Roche Laboratories, Inc. *(Defendant)*

		Hoffman-La Roche Inc *(Defendant)*
		Roche Laboratories Inc. *(Defendant)*
Rebecca Barrett Phalen **Nelson Mullins Riley & Scarborough** **999 Peachtree St. N.E.** **Atlanta, GA 30309-3964** **404/817-6050** **rebecca.phalen@nelsonmullins.com** ***Assigned: 10/30/2006*** ***LEAD ATTORNEY*** ***ATTORNEY TO BE NOTICED***	**representing**	**Hoffman-La Roche Inc** *(Defendant)*
		Roche Laboratories Inc. *(Defendant)*
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		Justin Sissen *(Plaintiff)*
		Keith Hubbard *(Plaintiff)*
		Kenneth Cannady *(Plaintiff)*
		Kenneth Locke *(Plaintiff)*
		Mary E. Farr *(Plaintiff)*
		Garrett Stephens ***TERMINATED: 03/10/2005*** *(Plaintiff)*

Mark Rodaitzky
TERMINATED: 03/10/2005
(Plaintiff)

Peter Dombowski
TERMINATED: 03/10/2005
(Plaintiff)

Phillip Jeff Barnhill
TERMINATED: 03/10/2005
(Plaintiff)

Ashley Guyton
TERMINATED: 06/16/2005
(Plaintiff)

Andrew Messick
TERMINATED: 08/03/2006
(Plaintiff)

Lacy Fuchner
TERMINATED: 09/25/2006
(Plaintiff)

Jared Stevens
(Plaintiff)

James Studensky
(Trustee)

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representing

F. Hoffman-La Roche Ltd.
(Defendant)

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representing

Christopher M. Perronne
(Plaintiff)

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LEAD ATTORNEY
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Eileen Baril
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Kenneth Cannady
(Plaintiff)

Kenneth Locke
(Plaintiff)

Mary E. Farr
(Plaintiff)

Garrett Stephens
TERMINATED: 03/10/2005
(Plaintiff)

Mark Rodnitzky
TERMINATED: 03/10/2005
(Plaintiff)

Peter Dembowski
TERMINATED: 03/10/2005
(Plaintiff)

Phillip Jeff Barnhill
TERMINATED: 03/10/2005
(Plaintiff)

Ashley Guyton
TERMINATED: 06/16/2005
(Plaintiff)

Andrew Messick
TERMINATED: 08/03/2006
(Plaintiff)

Lacy Fechner
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(Plaintiff)

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representing

Caroline Bancz
(Plaintiff)

Julia Bishop
(Plaintiff)

Justin Rand
(Plaintiff)

Karen Johnson
(Plaintiff)

		Plaintiffs ***(Plaintiff)***
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		Roche Laboratories Inc. ***(Defendant)***
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		Roche Laboratories Inc. ***(Defendant)***
		Roche Laboratories, Inc. ***(Defendant)***
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		Roche Laboratories Inc. *(Defendant)*
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representing

Laurie A. Stupak Stupak
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	Roche Holding AG *(Defendant)*
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Kenneth Cannedy
(Plaintiff)

Kenneth Locke
(Plaintiff)

Mary E. Farr
(Plaintiff)

Garrett Stephens
TERMINATED: 03/10/2005
(Plaintiff)

Mark Rodnitzky

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(Defendant)

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