

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: DARVOCET, DARVON AND PROPOXYPHENE
PRODUCTS LIABILITY LITIGATION**

MDL No. 2226

REMAND ORDER

Before the Panel:* Defendants¹ in the seven actions before the Panel move under Panel Rule 10.2 to vacate our order, entered at the suggestions of the transferee judge, conditionally remanding the actions listed on the attached Schedule A to their respective transferor courts. Plaintiffs in those actions oppose the motion.

The parties have raised a number of arguments as to whether these actions should remain in the MDL. Because we find that proceedings in MDL No. 2226 essentially are complete, we need not reach the parties' other arguments about the propriety *vel non* of remand. The Panel has not transferred a new action to this MDL in more than two years, and most MDL No. 2226 actions were resolved some time ago, while these seven actions are in their infancy. We find that transferring these actions to the MDL, in which all other proceedings have concluded, would not promote convenience or efficiency.

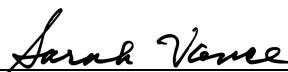
* Judge Charles R. Breyer and Judge Ellen Segal Huvelle did not participate in the Panel's decision.

¹ Endo Pharmaceuticals Holdings Inc.; Endo Pharmaceuticals Inc.; Generics International (US Parent), Inc.; Generics International (US), Inc.; Generics Bidco I, LLC; Generics Bidco II, LLC; Vintage Pharmaceuticals, LLC; Xanodyne Pharmaceuticals, Inc.; Teva Pharmaceuticals USA, Inc.; Mallinckrodt Inc.; Covidien Inc.; Watson Pharmaceuticals, Inc.; Brenn Distribution, Inc. f/k/a Propst Distribution, Inc. f/k/a Qualitest Pharmaceuticals, Inc.; Brenn Manufacturing, Inc. f/k/a Vintage Pharmaceuticals, Inc.; Mylan Inc.; Mylan Pharmaceuticals Inc.; McKesson Corporation; Cornerstone Biopharma, Inc.; Cornerstone Biopharma Holdings, LLC f/k/a Cornerstone BioPharma Holdings, Inc.; Aristos Pharmaceuticals, Inc.; AAIPharma, Inc.; AAIPharma, LLC; AAIPharma Development Services, Inc.; and Neosan Pharmaceuticals, Inc.

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IT IS THEREFORE ORDERED that pursuant to 28 U.S.C. § 1407, these actions are remanded to their respective transferor courts as set forth in Schedule A.

PANEL ON MULTIDISTRICT LITIGATION



Sarah S. Vance
Chair

Marjorie O. Rendell
R. David Proctor

Lewis A. Kaplan
Catherine D. Perry

**IN RE: DARVOCET, DARVON AND PROPOXYPHENE
PRODUCTS LIABILITY LITIGATION**

MDL No. 2226

SCHEDULE A

Eastern District of California

BOWEN, ET AL. v. MCKESSON CORPORATION ET AL., C.A. No. 1:12-01906
MITCHELL, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 1:12-01907
BALTAZAR, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 1:12-01917

Southern District of California

DADOUSH, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02815
GOMEZ, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02816
SAUNDERS, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02817
JASMIN, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02820