

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP,
AND MECHANICAL VENTILATOR PRODUCTS
LIABILITY LITIGATION**

MDL No. 3014

(SEE ATTACHED SCHEDULE)

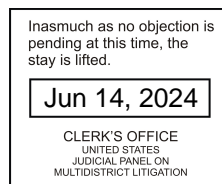
CONDITIONAL TRANSFER ORDER (CTO -97)

On October 8, 2021, the Panel transferred 10 civil action(s) to the United States District Court for the Western District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 568 F.Supp.3d 1408 (J.P.M.L. 2021). Since that time, 312 additional action(s) have been transferred to the Western District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Joy Flowers Conti.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Pennsylvania and assigned to Judge Conti.

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 Western District of Pennsylvania for the reasons stated in the order of October 8, 2021, and, with the consent of that court, assigned to the Honorable Joy Flowers Conti.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Pennsylvania. The transmittal of this order to said Clerk 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.



FOR THE PANEL:



Tiffany D. Pete
Clerk of the Panel

**IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP,
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LIABILITY LITIGATION**

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SCHEDULE CTO-97 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
ARKANSAS WESTERN			
ARW	2	24-02066	Kersh v. Phillips RS North America, LLC et al