

RF

OCT 13 2007

CLERK U.S. DISTRICT COURT
KANSAS CITY, KANSAS

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 28 2007

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SEP 13 2007

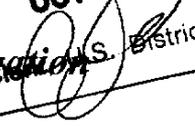
~~UNITED STATES~~
ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL NO. 1840

FILED
OCT 13 2007

IN RE Motor Fuel Temperature Sales Practices Litigation

By:  U.S. District Court
Deputy Clerk

Gerald Panto, Jr. v. BP Corp. North America, Inc., et al., E.D. Pennsylvania,
C.A. No. 2:07-3295

CONDITIONAL TRANSFER ORDER (CTO-5)

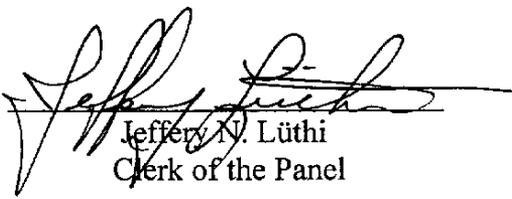
On June 18, 2007, the Panel transferred ten civil actions to the United States District Court for the District of Kansas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d (J.P.M.L. 2007). Since that time, 28 additional actions have been transferred to the District of Kansas. With the consent of that court, all such actions have been assigned to the Honorable Kathryn H. Vratil.

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

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 District of Kansas for the reasons stated in the order of June 18, 2007, and, with the consent of that court, assigned to the Honorable Kathryn H. Vratil.

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


Jeffrey N. Lüthi
Clerk of the Panel

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

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