

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Filed: 06/17/2013
Time: 02:08:50 pm
U.S. District Court
Eastern District of MI
Detroit

**IN RE: REFRIGERANT COMPRESSORS
ANTITRUST LITIGATION**

General Electric Company v. Whirlpool Corporation, et al.)

W.D. Kentucky, C.A. No. 3:13-00213)
2:13-cv-12638

MDL No. 2042

ORDER GRANTING UNOPPOSED MOTION TO TRANSFER

Pending before the Panel is a motion by defendants Embraco North America, Inc., Whirlpool S.A., and Whirlpool Corporation, seeking transfer of this action to the Eastern District of Michigan for inclusion in the coordinated or consolidated pretrial proceedings occurring there in MDL No. 2042.

The time for filing a response has passed, and no opposition to the motion has been filed. It appears that this action involves questions of fact in common with the actions previously transferred to the Eastern District of Michigan and that the criteria for transfer of this action under 28 U.S.C. § 1407 are otherwise satisfied. While the Panel initially declined to transfer this action due to the advanced stage of proceedings in this MDL, further consultation with the transferee judge reveals that transfer in this instance is appropriate. While we are transferring the instant case, Panel Rule 7.1(a), requiring notification to the Clerk of the Panel of potential tag-along actions, remains suspended.

IT IS THEREFORE ORDERED, pursuant to Rules 7.2(c) and 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), that this action is transferred under 28 U.S.C. § 1407 to the Eastern District of Michigan and, with the consent of that court, assigned to the Honorable Sean F. Cox for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket. This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Michigan.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

I hereby certify that the foregoing is a true copy
of the original on file in this office.

Clerk, U.S. District Court
Eastern District of Michigan

By: Sarah Schoenherr
Deputy

