

Sep 10, 2010

FILED  
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**IN RE: PHOTOCROMIC LENS  
ANTITRUST LITIGATION**

Florida Optical Express, Inc. v. Transitions Optical, Inc., et al., )  
N.D. Texas, C.A. No. 3:10-1497 ) MDL No. 2173

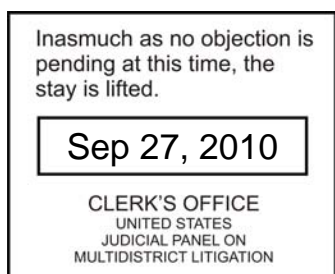
**CONDITIONAL TRANSFER ORDER (CTO-2)**

On August 6, 2010, the Panel transferred five 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* F.Supp.2d (J.P.M.L. 2010). Since that time, 13 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 D. Whittemore.

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

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), these actions are transferred under 28 U.S.C. § 1407 to the Middle District of Florida for the reasons stated in the order of August 6, 2010, and, with the consent of that court, assigned to the Honorable James D. Whittemore.

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 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel