

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

: MDL NO. 1657

IN RE: VIOXX :
PRODUCTS LIABILITY LITIGATION : SECTION: L

:
: JUDGE FALLON

:
: MAG. JUDGE KNOWLES

..... :

THIS DOCUMENT RELATES TO: ALL CASES

ORDER & REASONS

Before the Court is Merck’s Motion for Order to Show Cause Why the Foreign Individual Claims Should Not be Dismissed under the Doctrine of *Forum Non Conveniens*. On June 30, 2008, the Court granted the motion and ordered the plaintiffs to show cause why their cases should not be dismissed. After hearing oral argument on two separate occasions, the Court took the matter under submission. For the following reasons, the claims of the remaining foreign individual plaintiffs are hereby dismissed, subject to certain conditions and stipulations.¹

¹ Throughout the course of briefing and argument, Merck has filed several motions to withdraw the order as to plaintiffs (1) who are United States citizens and were mistakenly included within its scope; or (2) who Merck believes have provided sufficient evidence to support claims that they received prescriptions for Vioxx and suffered allegedly Vioxx-related injuries within the United States, and/or received medical treatment for their allegedly Vioxx-related injuries primarily within the United States. According to Merck, the remaining plaintiffs are foreign nationals whose claims do not allege any significant connection to the United States.

I. BACKGROUND

Before addressing the merits of Merck's *forum non conveniens* motion, a brief review of the context of this litigation is appropriate. Vioxx (known generically as rofecoxib) belongs to a general class of pain relievers known as non-steroidal anti-inflammatory drugs ("NSAIDs"). This class of drugs contains well-known medications sold either over the counter—such as Advil (ibuprofen) and Aleve (naproxen)—or by prescription—such as Daypro (oxaprozin) and Voltaren (diclofenac). NSAIDs work by inhibiting cyclooxygenase ("COX"), an enzyme that stimulates synthesis of prostaglandins, which are chemicals produced in the body that promote certain effects.

Traditional NSAIDs have been a longstanding treatment option for patients needing relief from chronic or acute inflammation and pain associated with osteoarthritis, rheumatoid arthritis, and other musculoskeletal conditions. This relief, however, comes with significant adverse side effects. Specifically, traditional NSAIDs greatly increase the risk of gastrointestinal perforations, ulcers, and bleeds ("PUBs"). This risk is increased when high doses are ingested, which is often necessary to remedy chronic or acute inflammation and pain. Scientists estimated that traditional NSAID-induced PUBs caused a significant number of deaths and hospitalizations each year.

In the early 1990s, scientists discovered that the COX enzyme had two forms—COX-1 and COX-2—each of which appeared to have several distinct functions. Scientists believed that COX-1 affected the synthesis or production of prostaglandins responsible for protection of the stomach lining, whereas COX-2 mediated the synthesis or production of prostaglandins responsible for pain and inflammation. This belief led scientists to hypothesize that "selective"

NSAIDs designed to inhibit COX-2, but not COX-1, could offer the same pain relief as traditional NSAIDs with the reduced risk of fatal or debilitating PUBs. In addition, scientists believed that such drugs might be able to prove beneficial for the prevention or treatment of other conditions, such as Alzheimer's disease and certain cancers, where evidence suggested that inflammation may play a causative role.

In light of these scientific developments, Merck & Co., Inc. ("Merck") and several other pharmaceutical companies began the development of such drugs, which became known as "COX-2 inhibitors," or "coxibs." Vioxx is a COX-2 inhibitor.

On May 20, 1999, the Food and Drug Administration ("FDA") approved Vioxx for sale in the United States. From its initial approval, Vioxx gained widespread acceptance among physicians treating patients with arthritis and other conditions causing chronic or acute pain. Subsequently, Vioxx was introduced into markets around the world.

Before and after its initial approval, Vioxx was subjected to a number of studies and tests, including, but not limited to, VIGOR, APPROVe, Vip, VICTOR, ADVANTAGE, the Alzheimer's studies, Professor Kronmal's reanalysis of Merck's clinical data, the Solomon study, the Juni study, the Ray study, the Graham study, the Kimmel study, the Levesque study, the Mamdani study, the Ingenix study, the Johnsen study, the Nussmeier study, and the Fitzgerald hypothesis. In addition, a large amount of scientific literature was written on the effects of Vioxx and other COX-2 inhibitors.

Interim unblended data from APPROVE, the long-term, blinded, randomized placebo-controlled clinical trial, which was designed to assess whether Vioxx could help prevent the recurrence of precancerous colon polyps, indicated that the use of Vioxx increased the risk of

cardiovascular thrombotic events such as myocardial infarctions and ischemic strokes. On September 30, 2004, Merck withdrew Vioxx from markets worldwide.

Thousands of lawsuits followed in both state and federal court. On February 16, 2005, as a result of the sheer mass of these lawsuits and the potential for many more, the Judicial Panel on Multidistrict Litigation (“JPML”) ordered that the Vioxx litigation be centralized, designated as an MDL, and assigned to this Court. In addition to claims asserted by United States citizens, there were also eleven suits filed on behalf of purported classes of foreign citizens from England, Australia, Italy, France, South Africa, Canada, Germany, Israel, New Zealand, the Netherlands, and Poland who were prescribed, purchased, used, and /or ingested Vioxx, as well as hundreds of individual claims asserted by foreign citizens from a number of different countries around the world.

On March 13, 2006, Merck moved to dismiss all of the foreign class action complaints under the doctrine of *forum non conveniens*, or alternatively, to strike the class allegations. The parties subsequently agreed that, at that time, the Court should address the motion only as it applied to the Italian and French class action complaints. Both the Italian and French complaints were originally filed in the United States District Court for the Northern District of Illinois and had been transferred to this Court pursuant to the JPML’s order. According to Merck, the Italian and French complaints bore no significant relationship to the United States and thus should be dismissed so that the claims could be more conveniently litigated in Italy and France. In support of its motion, Merck argued that: (1) Vioxx was subjected to extensive regulation by the governments of Italy and France prior to its introduction into these markets; (2) regulators in Italy and France ultimately approved the sale of Vioxx and required that certain warnings and

packaging information be included; (3) the plaintiffs were prescribed Vioxx in Italy and France by doctors practicing in those countries; (4) the plaintiffs purchased and ingested Vioxx in Italy and France; and (5) the plaintiffs allegedly sustained injuries and received treatment in Italy and France.

In response, the plaintiffs countered that the litigation properly belonged in the United States because Merck designed, tested, and manufactured Vioxx at its Global Headquarters in Whitehouse Station, New Jersey. Approximately four months after Merck moved to dismiss the foreign class actions, the French and Italian plaintiffs amended their complaints to allege that “each and every decision related with the development, design, manufacture, testing, marketing, and commercialization of the drug Vioxx were made by Defendant in the state of New Jersey.” The plaintiffs also argued that Merck directed the worldwide distribution of Vioxx from New Jersey. Merck disputed these allegations and argued that Vioxx sold in Italy and France was manufactured in a multi-stage process that took place in a variety of countries. Moreover, Merck argued that the sale and marketing of Vioxx in Italy and France took place both in New Jersey and locally in Italy and France by its subsidiaries.

After studying the parties’ briefing, the relevant law, and the laws of the French and Italian forums, the Court held that the foreign class actions should be dismissed under the doctrine of *forum non conveniens*. See *In re Vioxx Prods. Liab. Litig.*, 448 F. Supp. 2d 741, 649 (E.D. La. 2006). First, the Court found that both Italy and France provided wholly adequate alternative forums in which the plaintiffs could pursue their claims. *Id.* at 745-46. Second, the Court found that the balance of public and private factors favored conducting the litigation in the foreign forums. *Id.* at 746-49. Although the Court recognized that there were relevant

documents and witnesses that revolved around Merck's Global Headquarters in New Jersey, the Court concluded that the plethora of localized individual issues suggested that litigation of the plaintiffs' claims in Italy and France would be much more convenient. *Id.* In particular, the Court noted that:

(1) the plaintiffs are Italian and French residents who were prescribed Vioxx in Italy and France; (2) by Italian and French doctors; (3) both of whom read and/or relied on warnings and labels in Italian and French; (4) the plaintiffs purchased and ingested Vioxx, and allegedly suffered injuries as a result, in Italy and France; and (5) the plaintiffs subsequently received medical treatment in Italy and France.

Id. at 747. Further, the Court found persuasive the fact that the governments of Italy and France had approved and regulated the sale of Vioxx in those countries. *Id.* at 748. The Court reasoned that trying the plaintiffs' claims in the United States would risk disrupting the judgments of Italian and French regulatory bodies by imposing an American jury's view of the appropriate standards of safety and labeling. *Id.* Finally, the Court found that the administrative hurdles inherent in applying French and Italian laws to the plaintiffs' claims weighed still further in favor of dismissal. *Id.* In consideration of all of the private and public factors, and in recognition of the adequate forums offered by the French and Italian courts, the Court granted Merck's motion and ordered the plaintiffs' claims dismissed. As a condition of dismissal, however, the Court ordered that:

(i) The Defendant submit to service of process and jurisdiction in the appropriate Italian and French forums with respect to lawsuits relating to Vioxx;

(ii) The Defendant shall agree to satisfy any final judgment rendered by an Italian or French forum relating to such claims;

(iii) The Defendant will not, in raising any statute of limitations or similar defense in such forums, include the period that a suit, not barred by a statute of limitations in this country, was pending against it in a court of the United States;

(iv) The Defendant will not act to prevent the Plaintiffs from returning to this Court if the Italian or French forums decline to accept jurisdiction, provided that an action is filed in those forums within 120 days of the order of dismissal.

Id. at 749-50.

II. PRESENT MOTION

On May 16, 2008, Merck filed a motion seeking dismissal of the foreign individual claims under the doctrine of *forum non conveniens*. Initially, Merck sought dismissal of a total of 385 cases brought by foreign individual plaintiffs from Albania, Canada, the Dominican Republic, France, Ireland, Israel, Kuwait, Mexico, the Netherlands, New Zealand, and the United Kingdom, all asserting personal injury claims.² During the course of briefing and argument, however, Merck agreed to withdraw the motion as it applied to certain plaintiffs that it found had demonstrated sufficient contacts with the United States to proceed in this forum or participate in the settlement. The remaining claims involve plaintiffs who Merck contends are not U.S. citizens and who received prescriptions for Vioxx, ingested Vioxx, and received medical treatment for their alleged Vioxx-related injuries, primarily outside of the United States.

According to Merck, the remaining foreign individual claims should be dismissed subject to the same *forum non conveniens* analysis as set forth in the Court's dismissal of the foreign class actions. Merck contends that it will be more convenient for all of the remaining foreign

² Most, if not all, of these claims are ineligible to participate in the settlement reached on November 9, 2007. *See* Settlement Agreement § 17.1.22.1 (stating that in order to qualify for participation in the resolution program, a claimant must be a "natural person [who] was a United States citizen or a legal resident of the United States or [who] was physically located in the United States, in each case when the alleged Eligible Event referred to in Section 17.1.22.3 is alleged to have occurred").

individual plaintiffs to pursue their claims in their home forums. Further, Merck argues that the balance of public and private interest factors weighs in favor of dismissing the foreign individual claims, just as the Court found it did with the foreign class actions.

The foreign individual plaintiffs assert a number of arguments in opposition to Merck's motion. First, many of the plaintiffs argue that they do not have an available or adequate alternative forum in which to litigate their claims. Second, the plaintiffs argue that the public and private factors in their individual cases favor proceeding in this forum as opposed to their respective home forums. Third, the plaintiffs argue that even if the Court finds that dismissal might otherwise be appropriate, Merck's motion should be denied as being untimely filed. Finally, the plaintiffs argue that, if the Court does find that the cases should be dismissed, the Court should impose additional conditions above and beyond those which it previously imposed on the dismissal of the foreign class actions. The Court will now address each of these arguments in turn.

III. LAW & ANALYSIS

To secure a *forum non conveniens* dismissal, a defendant "must demonstrate (1) the existence of an available and adequate alternative forum and (2) that the balance of relevant private and public interest factors favor[s] dismissal." *Vasquez v. Bridgestone/Firestone, Inc.*, 325 F.3d 665, 671 (5th Cir. 2003); *see also Piper Aircraft Co. v. Reyno*, 454 U.S. 235 (1981); *Gulf Oil Corp. v. Gilbert*, 330 U.S. 501 (1947).

(A) Available & Adequate Alternative Forums

A defendant seeking dismissal on the basis of *forum non conveniens* must demonstrate the existence of an alternative forum that is both (1) available and (2) adequate. In this case,

Merck argues that the foreign individual plaintiffs' home jurisdictions provide alternative forums that are both adequate and available for litigation of their claims.

First, the court must look to see whether the proposed alternative forum is available. "A foreign forum is available when the entire case and all parties can come within the jurisdiction of that forum." *Alpine View Co. Ltd. v. Atlas Copco AB*, 205 F.3d 208, 221 (5th Cir. 2000) (quoting *In re Air Crash Disaster Near New Orleans, La.*, 821 F.2d 1147, 1165 (5th Cir. 1987)). The availability of an alternative forum is often secured by conditioning a *forum non conveniens* dismissal on the defendant's waiver of various jurisdictional obstacles in the alternative forum. In this case, Merck has agreed to submit to jurisdiction in each of the appropriate alternative forums. Further, Merck has advised that its subsidiaries in those forums are similarly amenable to service of process and will likewise submit to jurisdiction. Therefore, the foreign individual plaintiffs' home forums are "available" for purposes of this Court's *forum non conveniens* analysis.

Having determined that the alternative forums are available, the court must next look to see whether the forums are adequate. "A foreign forum is adequate when the parties will not be deprived of all remedies or treated unfairly, even though they may not enjoy the same benefits as they might receive in an American court." *Alpine View*, 205 F.3d at 221. Procedural or policy differences, such as fee shifting, prohibitions on contingency-fee arrangements, the lack of an automatic right to a trial by jury, or less generous rules for discovery, will not render an alternative forum inadequate. *See Coakes v. Arabian Am. Oil Co.*, 831 F.2d 572, 576 (5th Cir. 1987). Indeed, absent a showing that plaintiffs will be deprived of all remedies or denied access to substantial justice, "American courts should be wary of branding other nations' judicial

forums as deficient in the substance or procedures that their laws contain.” *Corporacion Tim, S.A. v. Schumacher*, 418 F. Supp. 2d 529, 532-33 (S.D.N.Y. 2006). “Such denunciations not only run counter to principles of international comity and could retard efforts to reform foreign tribunals, but also risk imposing on our judicial system the burden of serving as courtroom to the world for adjudication of essentially foreign disputes with only nominal connections to the United States.” *See id.*; *see also Jhirad v. Ferrandina*, 536 F.2d 478, 484-85 (2d Cir. 1976) (“It is not the business of our courts to assume the responsibility for supervising the integrity of the judicial system of another sovereign nation.”).

First, plaintiffs from the Dominican Republic argue that their home forum is an inadequate forum for litigation of their claims. According to these plaintiffs, the Dominican Republic lacks proper mechanisms for resolving their claims and will unfairly deprive them of substantial remedies. The plaintiffs, however, offer no authority to support their assertion that they will not be treated fairly or afforded adequate remedies in the Dominican Republic. Several courts have found that the Dominican Republic is an adequate forum for the litigation of products liability and personal injury claims. *See, e.g., Corporacion Tim*, 418 F. Supp. 2d at 533 (finding that the Dominican Republic is an adequate alternative forum); *Dominguez v. Pyrgia Shipping Corp.*, 1999 WL 438477, *3 (E.D. La. June 28, 1999) (dismissing personal injury claims under the doctrine of *forum non conveniens* after finding that the Dominican Republic is an adequate alternative forum). This Court finds no evidence to suggest that the Dominican Republic is an inadequate forum for litigation of the plaintiffs’ claims. As a result, the plaintiffs’ arguments are without merit.

Several plaintiffs from the United Kingdom argue that the U.K. is an inadequate forum

because it does not recognize claims for loss of consortium. According to these plaintiffs, the spouses of individuals who have suffered Vioxx-related injuries will have no cause of action in the U.K. if their cases are dismissed. In opposition, Merck contends that the mere fact that derivative actions are unavailable in an alternative forum does not render the forum inadequate under the doctrine of *forum non conveniens*. Merck further argues that the derivative plaintiffs in this case will not be left without any remedy at law under the U.K. legal system, as the U.K. not only recognizes survivor actions and claims for wrongful death, but also provides that persons looking after an injured plaintiff may be entitled to recover expenses that can include the “reasonable cost of gratuitous care from relatives or others.” Merck’s Br. at 5.

The Superior Court of New Jersey, one of the coordinated Vioxx jurisdictions, has already carefully considered and rejected the precise argument made by the U.K. plaintiffs in this case. See Mem. of Decision on Mot. and Order, *In re Vioxx Litig.* (Super. Ct. Atlantic County, N.J. Oct. 5, 2006) (“Mem. of Decision”), *aff’d In re Vioxx Litig.*, 928 A.2d 935 (N.J. App. Div. 2007). Because “[a] regular lack of consortium claim is not a separate cause of action, but only a derivative claim,” the New Jersey court concluded that the absence of derivative actions in a foreign forum would not substantially deprive the plaintiffs of a remedy. *Id.* The New Jersey court then dismissed the U.K. plaintiffs’ cases under the doctrine of *forum non conveniens*. *Id.* On appeal, the trial court’s ruling was affirmed. See *In re Vioxx Litig.*, 928 A.2d at 941. As the New Jersey appellate court explained, it would be “unreasonable to accord dispositive weight in a *forum non conveniens* analysis to such a derivative cause of action, regardless of the loss of a damages remedy.... Such tail-wagging cannot overcome the well-established principles governing forum determination in this context.” See *id.* (noting the absence of any precedent

“holding that jurisdiction must be maintained in an inconvenient forum simply because loss of consortium claims would not be recognized by the alternative court”); *see also Massaquoi v. Virgin Atlantic Airways*, 945 F. Supp. 58, 61 (S.D.N.Y. 1996) (finding England to be an adequate alternative forum despite England’s decision not to recognize claims for loss of consortium); *Bell v. British Telecom*, No. 95-1972, 1995 WL 476684, at *2 (S.D.N.Y. Aug. 9, 1995) (finding that Scotland’s policy of not recognizing loss of consortium claims did not render Scotland a clearly unsatisfactory alternative forum).

This Court finds the reasoning of the New Jersey Superior Court persuasive. Moreover, as Merck noted, the plaintiffs asserting claims for lack of consortium may seek to recover the expenses of caring for and looking after an injured plaintiff. *See Massaquoi*, 945 F. Supp. at 61 (noting that English law permits recovery of expenses involved in caring for injured plaintiffs). Although this might not be the precise remedy the plaintiffs were hoping for, it does not change the fact that the U.K. is an adequate forum for litigation of their claims. Accordingly, the Court finds that the U.K.’s policy of disallowing claims for lack of consortium does not render that forum inadequate, as loss of consortium claims are derivative actions that need not be afforded dispositive weight in a *forum non conveniens* analysis.

The majority of the remaining plaintiffs either concede that their home forums are adequate or fail to argue that they are inadequate. For example, the Canadian plaintiffs acknowledge that Canada is an adequate alternative forum for the litigation of their claims.³ The

³ In fact, there are several Vioxx-related class actions currently pending in Canada at this time, which supports finding not only that Canada is an adequate alternative forum, but also that permitting these claims to proceed within this forum could potentially frustrate international comity, as the claims proceeding in the Canadian jurisdiction would likely be measured against

Scottish and Dutch plaintiffs, for their part, fail to allege that their home forums are inadequate. It is worth noting, however, that several courts have held that those forums are wholly adequate alternative forums under the doctrine of *forum non conveniens*. See *Piper Aircraft*, 454 U.S. at 261 (affirming dismissal in favor of trial in Scotland); *Windt v. Qwest Communications Int'l, Inc.*, 529 F.3d 183 (3d Cir. 2008) (affirming dismissal in favor of trial in Netherlands).

Accordingly, the Court finds that the plaintiffs have failed to demonstrate that their home forums would be inadequate for the litigation of their claims. See *Vaz Borralho v. Keydril Co.*, 696 F.2d 379, 390 (5th Cir. 1983) (holding that, in determining adequacy for the purposes of dismissal on the basis of *forum non conveniens*, it is presumed that the substantive law of a foreign forum is adequate, absence any showing to the contrary), *overruled on other grounds by In re Air Crash Disaster*, 821 F.2d 1147 (5th Cir. 1987); *Dominguez*, 1999 WL 438477 at *3 (finding Dominican Republic to be an adequate alternative forum absent any showing that “differences in controlling law would amount to an unfairness to plaintiff”). As a result, the Court holds that the plaintiffs’ home jurisdictions offer adequate and available alternative forums.

(B) Public & Private Interest Factors

The second step of the *forum non conveniens* framework requires the Court to “consider whether ‘certain private and public interest factors weigh in favor of dismissal.’” *Karim v. Finch Shipping Co.*, 265 F.3d 258, 268-69 (5th Cir. 2001) (quoting *McLennan*, 245 F.3d at 424). The private interest factors include:

[T]he relative ease of access to sources of proof; availability of compulsory

and compared with those proceeding within this forum.

process for attendance of unwilling, and the cost of obtaining attendance of willing, witnesses; ... and all other practical problems that make trial of a case easy, expeditious, and inexpensive.

Piper Aircraft Co., 454 U.S. at 241 n. 6. The United States Supreme Court discussed the public interest factors in *Gulf Oil v. Gilbert*:

Administrative difficulties follow for courts when litigation is piled up in congested centers instead of being handled at its origin. Jury duty is a burden that ought not to be imposed upon the people of a community which has no relation to the litigation. In cases which touch the affairs of many persons, there is reason for holding the trial in their view and reach rather than in remote parts of the country [or world] where they can learn of it by report only. There is a local interest in having localized controversies decided at home.

330 U.S. 501, 508-09 (1947). In balancing the private and public interests, courts should not give conclusive weight to any one particular factor, but should instead remain mindful that the “central focus” of the *forum non conveniens* inquiry is on convenience. See *Dickson Marine Inc. v. Panalpina, Inc.*, 179 F.3d 331, 342 (5th Cir. 1999).

Although a plaintiff’s choice of forum is usually accorded deference, when the plaintiffs are foreign citizens, as is the case here, the assumption that their choice of forum is convenient is “much less reasonable.” *Piper Aircraft Co.*, 454 U.S. at 256; see also *In re Union Carbide Corp. Gas Plant Disaster at Bhopal, India*, 634 F. Supp. 842, 845 (S.D.N.Y. 1986) (“The foreign plaintiffs’ choice of the United States forum deserves less deference than would be accorded a United States citizen’s choice.”). Indeed, when foreign citizens choose a United States forum, “a plausible likelihood exists that the selection was made for forum-shopping reasons, such as the perception that United States courts award higher damages than are common in other countries.” *Iragorri v. United Techs. Corp.*, 274 F.3d 65, 71 (2d Cir. 2001). A careful consideration of the private and public interest factors in these cases suggests that the plaintiffs’ home forums would

be much more convenient for this litigation.

First, as Merck argues, the majority of the events relevant to this litigation occurred abroad. The plaintiffs (1) are residents of foreign countries (2) who were prescribed Vioxx in their home jurisdictions (3) by doctors licensed to practice in those jurisdictions (4) who issued the prescriptions based on warning labels approved of in those jurisdictions. Information relating to the plaintiffs' medical histories, which is highly relevant in determining whether Vioxx may have caused the plaintiffs' alleged injuries, as well as information relating to what the plaintiffs and their doctors knew or should have known about Vioxx, which is relevant in determining whether Merck failed to warn, is also located abroad. *See Vasquez*, 325 F.3d at 672-73 (finding that the district court correctly determined that trial should be held in Mexico where the product was bought in Mexico and when "all the physical evidence and medical reports" were in Mexico).

In short, all of these considerations directly implicate the private interest factors. American courts do not have easy access to the foreign documents and witnesses relating to these events. Nor is it likely that the compulsory process of any American court will be able to reach such documents and witnesses. As a result, the American courts are likely to encounter many practical problems causing this litigation to be harder, slower, and more expensive than it would be if it were to take place in the plaintiffs' home jurisdictions.

In response, the plaintiffs argue that these individualized facts are ancillary, and that the central focus of this litigation is the development of Vioxx in the United States and various design decisions allegedly made by Merck in New Jersey. Merck does not dispute that there are some issues relevant to this litigation that revolve around its Global Headquarters. Merck also

does not dispute that some documents and witnesses are located in the United States.

Nevertheless, the plethora of localized issues in these cases leads the Court to conclude that litigation of the plaintiffs' claims in their home jurisdictions would be much more convenient. *See Vasquez*, 325 F.3d at 673 ("Assuming *arguendo* that all information relating to the design and manufacture of the tires and vehicle is located in the United States, we still find the court's analysis [that Mexico is a more convenient forum] correct."); *Harrison v. Wyeth Labs. Div. of Am. Home Prods. Corp.*, 510 F. Supp. 1, 4 (E.D. Pa. 1980) ("Even assuming *arguendo* that all production and marketing decisions were made by defendant in Pennsylvania ... Pennsylvania's interest in the regulation of the conduct of drug manufacturers and the safety of drugs produced and distributed within its borders does not extend so far as to include such regulation of conduct on drugs produced or distributed in foreign countries.").

Second, and perhaps more importantly, the public interest factors strongly suggest that these cases belong in the plaintiffs' home jurisdictions. The plaintiffs are foreign residents whose alleged injuries were suffered and treated in their home jurisdictions. Thus, these are localized controversies in which the plaintiffs' home jurisdictions have strong interests. *See Piper Aircraft Co.*, 454 U.S. at 241 n. 6; *In re Rezulin Prods. Liab. Litig.*, 214 F. Supp. 2d 396, 398-99 (S.D.N.Y. 2002) (finding a strong foreign interest when a foreign citizen was treated for injuries abroad, despite the fact that the drug was prescribed, purchased, and ingested in the United States).

In addition, the governments in the plaintiffs' home jurisdictions approved and regulated the sale of Vioxx in those countries. As one court noted, "[t]he forum whose market consumes" a regulated product has a "distinctive interest in explicating the controlling standards of

behavior” related to that product. *Doe v. Hyland Therapeutics Div.*, 807 F. Supp. 1117, 1129 (S.D.N.Y. 1992). Indeed, trying the plaintiffs’ claims in the United States would risk disrupting the judgments of foreign regulatory bodies by imposing an American jury’s view of the appropriate standards of safety and labeling on companies marketing and selling drugs in the plaintiffs’ respective home forums. *See Vasquez*, 325 F.3d at 674 (“If accepted, plaintiffs’ argument would curtail the rights of foreign governments to regulate their internal economies and threaten to engulf American courts with foreign claims.”); *Ledingham v. Parke-Davis Div. of Warner Lambert Co.*, 628 F. Supp. 1447, 1451 (E.D.N.Y. 1986) (“[W]hen a regulated industry, such as the pharmaceutical industry, is involved in an action, the country where the injury occurs has a particularly strong interest in the litigation.”). An American jury would therefore have no good means of evaluating whether a given foreign label or marketing scheme was adequate, especially in those cases in which the labeling and marketing was in a foreign language.

As the *Rezulin* court noted, the “enormous volume ... of litigation brought on behalf of United States plaintiffs ... ensures that appropriate standards of care are applied [in the United States] and that the defendants, if they are liable, will pay quite substantial compensation and that the liability will deter them and others from inappropriate conduct in the future.” *In re Rezulin*, 214 F. Supp. 2d at 399. Thus, the interests of the plaintiffs’ home forums outweigh any interest the United States, or any individual State, may have because the “enormous volume” of Vioxx litigation brought on behalf of American plaintiffs ensures that the American interests will ultimately be protected. Further, permitting the cases to proceed within this jurisdiction could potentially distort information used by foreign governments in determining whether the standards and legal remedies available within their jurisdictions should be reconsidered, because

the cases that might inform such determinations would be litigated in other forums.

This leads to another public interest factor, namely the administrative difficulties that are created when “litigation is piled up in congested centers rather than handled at its origin.” *Gulf Oil Corp.*, 330 U.S. at 508-09, 67 S.Ct. 839. Presently, this Court is not only overseeing “the enormous volume” of Vioxx-related products liability lawsuits that have been filed in the federal courts, but it is also administering and overseeing the settlement of some 50,000 of those claims. Although the multidistrict litigation system crafted by Congress in 28 U.S.C. § 1407 contemplates some degree of congestion in transferee courts such as this one, retaining jurisdiction over the foreign individual actions would dramatically exacerbate any administrative difficulties that this Court may already be facing.

Further, as the Fifth Circuit has explained, a choice-of-law analysis may be required when considering the public interest factors. *See Quintero v. Klaveness Ship Lines*, 914 F.2d 717, 725 (5th Cir. 1990). In many of these cases, the laws of the plaintiffs’ home jurisdictions may be applicable to their claims pending in this forum. *See, e.g., In re Vioxx Prods. Liab. Litig.*, 448 F. Supp. 2d at 749 (finding that, under the “most significant relationship test,” the Court would be required to apply French and Italian laws to the French and Italian class actions, respectively).⁴ Accordingly, the Court finds that dismissal is further supported by consideration

⁴Indeed, as several other courts have explained, even the likelihood of having to apply foreign laws to a plaintiff’s claims is a factor that weighs heavily in favor of dismissal. *See Corporacion Tim*, 418 F. Supp. 2d at 533 (“Though the Court need not ultimately decide the conflict of laws issue for purposes of this decision, the likely application . . . of foreign law to this case weighs against retention of the claim.”); *Varnelo v. Eastwind Transp.*, No. 02-2084, 2003 WL 230741, at *27 (S.D.N.Y. Feb. 3, 2003) (noting that “it is well established that a court considering a *forum non conveniens* motion should not engage in a complex conflict of laws inquiry” and that “the likelihood that foreign law will apply weighs against retention of the

of the significant administrative hurdles involved in applying the laws of Albania, Canada, the Dominican Republic, France, Ireland, Israel, Kuwait, Mexico, the Netherlands, New Zealand, and the United Kingdom to the foreign individual plaintiffs' claims.

Several of the plaintiffs contend that the unique public and private interest factors in their particular cases warrant specialized consideration. For example, the Canadian plaintiffs attempt to distinguish this Court's earlier holding by arguing that Canada is, geographically, much closer to the United States than France or Italy. Although travel between Canada and the United States may indeed be less time-consuming than travel between the United States and Europe, the Court did not base its earlier ruling on the mere physical distance between forums. Rather, the relevant consideration is the fact that Canada is a different country with different laws and different procedures. As a result, American courts lack compulsory process over witnesses and documents located in Canada. Further, because there are currently several Vioxx-related class actions pending in Canada, permitting these individual claims to proceed within this forum would invite comparisons between the two sets of actions and could potentially frustrate notions of international comity. For many of these same reasons, the Court also finds that the public and private interest factors in the Mexican plaintiffs' cases suggest that it would similarly be most

action"). Accordingly, to the extent that the plaintiffs argue that the Court must engage in a complex choice-of-law analysis for each plaintiff or group of plaintiffs before considering the applicability of foreign law as a factor weighing in favor of dismissal, the Court finds that the plaintiffs' argument is without merit. Nevertheless, it is worth noting that the Scottish and Dutch plaintiffs point out that their claims were filed in the District of Columbia and therefore are not subject to the Illinois choice-of-law analysis that led this Court to conclude that foreign law would apply to the French and Italian class actions. What these plaintiffs fail to mention, however, is that Washington D.C. applies precisely the same "substantial interest" choice-of-law test as Illinois. *See Jaffee v. Pallotta Teamworks*, 374 F.3d 1223, 1227 (D.C. Cir. 2004).

convenient for those claims to be tried in Mexico. Accordingly, the Court finds that the public and private interest factors in the plaintiffs' cases support a finding that the plaintiffs should litigate their claims in their home forums.⁵

(C) Timeliness of Merck's Motion

The plaintiffs next argue that, even if the Court finds that dismissal would otherwise be appropriate, Merck's motion should be denied as being untimely filed. The timeliness of a *forum non conveniens* motion, however, is merely one factor in determining whether dismissal is appropriate. *In re Air Crash Disaster*, 821 F.2d at 1165. Indeed, there is no precise time period within which a defendant must file a motion for dismissal under the doctrine of *forum non conveniens*. 14 WRIGHT, MILLER & COOPER, FEDERAL PRACTICE & PROCEDURE § 3828 (3d ed. 2007). As the Fifth Circuit has explained, a defendant need only "assert a motion to dismiss for *forum non conveniens* within a reasonable time after the facts or circumstances which serve as

⁵ Some of the plaintiffs have argued that the unique private interest factors in their particular cases weigh against dismissal because they received medical treatment for Vioxx-related injuries in the United States. As an initial matter, the Court notes that Merck has filed several motions to withdraw the *forum non conveniens* order as to plaintiffs who it found had submitted adequate proof of receiving allegedly Vioxx-related medical care primarily in the United States. After reviewing the parties' briefing, the Court finds that the remaining plaintiffs have failed to offer sufficient proof that the private interest factors in their particular cases outweigh the overwhelming balance of factors supporting dismissal. For example, Dutch plaintiff Fokke Fennema alleges that he experienced cerebrovascular events in 2004, presumably in the Netherlands. Pl.'s. in Case 05-5586's Resp. to the Court's Order to Show Cause at 3. In support of his argument that he has received Vioxx-related medical care primarily in the United States, Mr. Fennema submitted evidence of a recent rheumatology consultation in connection with his ongoing neurologic condition. This is not, however, evidence of immediate treatment for the cerebrovascular events giving rise to his complaint. Moreover, even these records clearly contemplate that the bulk of Mr. Fennema's ongoing treatment would take place "as he returns to Holland." This argument is therefore without merit and is insufficient to shift the balance of the public and private interest factors away from dismissal.

the basis for the motion have developed and become known or reasonably knowable to the defendant.” *In re Air Crash Disaster*, 821 F.2d at 1165. Although a failure to timely file will not effect a waiver, a defendant’s dilatoriness “should weigh heavily against the granting of the motion because [it] promotes and allows the very incurrence of costs and inconvenience the doctrine is meant to relieve.” *Id.*

In *Empresa Lineas Maritimas Argentinas, S.A. v. Stork-Werkspoor Diesel, B.V.*, No. 90-1294, 1991 WL 17272 (E.D. La. Feb. 5, 1991), the court dismissed the plaintiff’s claims under the doctrine of *forum non conveniens* even though the matter had been pending for at least two years before the defendant first sought dismissal on those grounds. While acknowledging that substantial work had been done on the case and the parties had exchanged some discovery, the court explained that “this one factor [timeliness] does not outweigh those factors which call for dismissal.” *Compare id.* (dismissing case despite the fact that substantial work had already been done and the parties had exchanged discovery) with *Manheim Auto Fin. Servs. v. Okla. Auto Exch., LLC*, No. 06-2298, 2007 WL 2461612 (D. Kan. 2007) (declining to dismiss case when parties had already conducted discovery, prepared a pretrial order, and fully briefed dispositive motions).

The timeliness of Merck’s motion cannot be evaluated in a vacuum. Indeed, any analysis of whether Merck filed its motion within a “reasonable time” must take into consideration the context of this complex multidistrict litigation. Because this proceeding involves a wide variety of claims brought by tens of thousands of plaintiffs and putative class members from across the country, it is simply not reasonable to assume that Merck should be held to the same standards as a defendant facing a single lawsuit brought by a single plaintiff. Since March 2006, when Merck

filed its first *forum non conveniens* motion before this Court, Merck has consistently maintained its position that the United States is an inappropriate forum for litigating the claims of foreign plaintiffs, regardless of whether those claims are styled as class actions or individual actions. See Monthly Status Conference Proceedings Tr. 15:5-7, Mar. 1, 2007 (“[I]t’s Merck’s position that the foreign cases should be tried in the foreign country where the plaintiff resides.”); Status Conference Proceedings Tr.; 18:10-12, July 13, 2006 (explaining that the “critical issue” in Merck’s class action *forum non conveniens* motion was whether foreign claimants should be required to pursue their claims in alternative forums, specifically their home jurisdictions). Shortly after prosecuting a similar motion seeking dismissal of foreign individual claims pending before the Superior Court of New Jersey, Merck began working to secure stipulations of dismissal with counsel for the foreign individual plaintiffs whose cases were pending before this Court. After failing to secure all of the stipulations that it sought, Merck filed the instant motion.

In light of the context and scope of this complex multidistrict litigation, the Court finds that Merck has not been dilatory in pursuing dismissal of the foreign individual claims under the doctrine of *forum non conveniens*. Moreover, given the procedural history of this case, the plaintiffs in these actions cannot claim surprise at Merck’s motion and will not be unduly prejudiced by dismissal at this stage of the proceedings. In fact, their cases have been stayed since November 9, 2007, and very little discovery has been conducted to date. To the extent that Merck’s motion may be considered untimely, however, that consideration has no measurable bearing on the Court’s previous finding that the public and private interest factors in these cases overwhelmingly favor dismissal of the foreign individual claims.

(D) Special Conditions of Dismissal

Finally, the plaintiffs argue that the Court should impose special conditions on any dismissal of the foreign individual claims above and beyond those conditions which were imposed on the dismissal of the foreign class actions. Specifically, the U.K. plaintiffs argue that Merck should be required to agree: (1) that the parties shall have a trial by jury; (2) that the parties may obtain evidence pursuant to the Federal Rules of Civil Procedure; (3) that the parties shall be permitted to present testimony at trial in the form of oral, video, and written depositions, including depositions taken in prior cases; and (4) that Merck will identify, produce and authenticate all documents it has previously produced, authenticated, listed, or offered as exhibits in previous Vioxx cases or trials in the United States.

In opposition to the plaintiffs' request, Merck asks the Court to impose only those requirements upon which it previously conditioned its dismissal of the foreign class actions. According to Merck, the imposition of additional conditions would not only frustrate notions of international comity, but would also create a troubling disparity between the procedures employed in the foreign class actions and those employed in the foreign individual cases. Instead, Merck offers to agree that it will: (1) submit to service of process and jurisdiction in the appropriate alternative forums; (2) satisfy any final judgment in those forums; (3) in raising any statute of limitations or similar defense, it will not include the time that a suit, not barred by a statute of limitations in this country, was pending against it in a court of the United States; and (4) not act to prevent the plaintiffs from returning to this Court if the alternative forum declines to accept jurisdiction.

The mere fact that a foreign judicial system abides by certain rules and procedures that differ from those of the United States cannot justify imposing conditions on dismissal that might

undermine the foreign forum's policy judgments by substantially altering its rules or procedures to mirror our own. See *Gross v. British Broadcasting Corp.*, 386 F.3d 224 (2d Cir. 2004).⁶ In this case, the conditions that the plaintiffs have requested are not "personal" conditions that Merck itself may satisfy by waiver or agreement; rather, the plaintiffs seek "institutional" conditions that will fundamentally alter the nature of the proceedings in the foreign jurisdictions. *Id.* Indeed, if the Court were to grant the plaintiffs' request, it would not be imposing conditions on Merck so much as it would be imposing conditions on a foreign court. Just as this Court is mindful of the considerable challenges posed by applying the laws of so many different nations to the plaintiffs' claims, the Court similarly declines to shift such a burden onto its foreign colleagues by requiring that they master and implement our own rules and procedures. The plaintiffs in this case seek to circumvent rules and procedures adopted by the U.K. that reflect considered policy judgments about the appropriateness of jury trials in civil cases, the suitability of certain kinds of evidence at trial, and the desirable scope of discovery. This Court is in no position to call those judgments into question, much less to undermine them by requiring that our own rules or procedures be implemented in their place. Accordingly, the Court declines to impose any additional conditions beyond those already present in its previous dismissal of the foreign class actions.

⁶ As the court in *Gross* explained, "There is a point at which conditions cease to be a limitation on the defendant and become instead an unwarranted intrusion on the transferee forum's policies governing its judicial system."

IV. CONCLUSION

For the foregoing reasons, the Court finds that the foreign individual claims should be dismissed under the doctrine of *forum non conveniens*. Accordingly, IT IS ORDERED that the complaints of the plaintiffs listed in Exhibit A are hereby dismissed, provided that:

- (i) The Defendant submit to service of process and jurisdiction in each of the appropriate forums with respect to lawsuits relating to Vioxx;
- (ii) The Defendant shall agree to satisfy any final judgment rendered by a foreign forum relating to such claims;
- (iii) The Defendant will not, in raising any statute of limitations or similar defense in such forums, include the period that a suit, not barred by a statute of limitations in this country, was pending against it in a court of the United States;
- (iv) The Defendant will not act to prevent the plaintiffs from returning to this Court if the appropriate foreign forums decline to accept jurisdiction, provided that an action is filed in those forums within 120 days of the order of dismissal.

New Orleans, Louisiana, this 10th day of February, 2009.


UNITED STATES DISTRICT JUDGE

EXHIBIT A

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
1	2:06-cv-06463-EEF-DEK	Silver, Wayne		Canada	Andrews and Thornton
2	2:06-cv-05905-EEF-DEK	Spellman, Brian		Canada	Andrews and Thornton
3	2:06-cv-05498-EEF-DEK	Malzieu, Fabrice		France	Brandi Law Firm
4	2:06-cv-00060-EEF-DEK	Alkhammach, Khaldoun		Kuwait	Daniel E. Becnel Jr. Law
5	2:06-cv-00060-EEF-DEK	Bourgoin, Berthe		Canada	Daniel E. Becnel Jr. Law
6	2:06-cv-03162-EEF-DEK	Murray, John		Canada	Daniel E. Becnel Jr. Law
7	2:06-cv-00060-EEF-DEK	Patino, Marco		Mexico	Daniel E. Becnel Jr. Law
8	2:08-cv-00587-EEF-DEK	Burns, John		Canada	Gallagher Law Firm
9	2:06-cv-10773-EEF-DEK	Brown, Peter		Canada	Jeffrey J. Lowe PC; Carey and Danis LLC; Kell Lampin LLC; Schaffer and Lamere PC; Walther Glenn Law
10	2:06-cv-10773-EEF-DEK	Higham, Alan	Cripple, Nancy	England	Jeffrey J. Lowe PC; Carey and Danis LLC; Kell Lampin LLC; Schaffer and Lamere PC; Walther Glenn Law
11	2:07-cv-01252-EEF-DEK	Adam, Rona	Adam, Thomas L B	United Kingdom	Newman Fitch Altheim Myers
12	2:07-cv-01252-EEF-DEK	Grant, William M	Grant, Margaret L	Scotland	Newman Fitch Altheim Myers
13	2:07-cv-01252-EEF-DEK	Sutherland, Jean	Sutherland, Peter	Scotland	Newman Fitch Altheim Myers

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
14	2:06-cv-03683-EEF-DEK	Boorany, Sol		Canada	Wagstaff and Cartmell LLP; Bertram Law LLC; Popham Law Firm; Bartimus Frickleton Robertson and Gorny PC; Goza and Honnold LLC; Davis Bethune and Jones LLC; Shrager Spivey and Sachs
15	2:07-cv-00344-EEF-DEK	Fernandez, Martha		Mexico	Steven A. Fabbro Law
16	2:05-cv-05586-EEF-DEK	Fennema, Fokke		Netherlands	Aaron M. Levine and Associates
17	2:06-cv-11333-EEF-DEK	Adams, Lillian J		Scotland	Joseph C. Blanks Law
18	2:06-cv-11333-EEF-DEK	Addison, Bridget G	Addison, John	Scotland	Joseph C. Blanks Law
19	2:06-cv-11333-EEF-DEK	Aitken, John	Aitken, Lily	Scotland	Joseph C. Blanks Law
20	2:06-cv-11333-EEF-DEK	Anderson, Alexandria	Anderson, William	United Kingdom	Joseph C. Blanks Law
21	08-cv-01613	Anderson, Margaret	Anderson, John	United Kingdom	Joseph C. Blanks Law
22	2:06-cv-11333-EEF-DEK	Archibald, Agnes	Archibald, James	Scotland	Joseph C. Blanks Law
23	2:06-cv-11333-EEF-DEK	Atkinson, Isabella J	Atkinson, James	Scotland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
24	2:06-cv-11333-EEF-DEK	Barnes, Margaret	Barnes, David	Scotland	Joseph C. Blanks Law
25	2:06-cv-11333-EEF-DEK	Barr, Anne M	Barr, James	Scotland	Joseph C. Blanks Law
26	2:06-cv-11333-EEF-DEK	Barr, Jane M	Barr, James	Great Britain and Northern Ireland	Joseph C. Blanks Law
27	2:06-cv-11333-EEF-DEK	Barrie, Elizabeth W	Barrie, George	Scotland	Joseph C. Blanks Law
28	2:06-cv-11333-EEF-DEK	Bell, Robert W	Bell, Janet K	England	Joseph C. Blanks Law
29	2:06-cv-11333-EEF-DEK	Blair, Joseph		Scotland	Joseph C. Blanks Law
30	2:07-cv-00395-EEF-DEK	Blane, Margaret	Blane, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
31	2:06-cv-11333-EEF-DEK	Boyd, Marion	Boyd, Mr	Scotland	Joseph C. Blanks Law
32	2:06-cv-11333-EEF-DEK	Bradbury, Robert A	Bradbury, Diane	England	Joseph C. Blanks Law
33	2:07-cv-00395-EEF-DEK	Braid, Michael		Great Britain and Northern Ireland	Joseph C. Blanks Law
34	2:06-cv-11333-EEF-DEK	Brennan, Edward J	Brennan, Mary B	Ireland	Joseph C. Blanks Law
35	2:06-cv-11333-EEF-DEK	Brennan, James	Brennan, Margaret	Scotland	Joseph C. Blanks Law
36	2:06-cv-11333-EEF-DEK	Brown, Norma		Scotland	Joseph C. Blanks Law
37	2:06-cv-11333-EEF-DEK	Browne, Joseph C	Browne, Margaret M	Wales	Joseph C. Blanks Law
38	2:06-cv-11333-EEF-DEK	Brumpton, Frederick		Scotland	Joseph C. Blanks Law
39	2:06-cv-11333-EEF-DEK	Bryce, David		Scotland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
40	2:06-cv-11333-EEF-DEK	Bryson, William S	Bryson, William	United Kingdom	Joseph C. Blanks Law
41	2:06-cv-11333-EEF-DEK	Buckley, David	Buckley, Doris	England	Joseph C. Blanks Law
42	2:06-cv-11333-EEF-DEK	Burch, Joseph K	Burch, Elizabeth	Great Britain and Northern Ireland	Joseph C. Blanks Law
43	2:06-cv-11333-EEF-DEK	Burgess, Thomas		Scotland	Joseph C. Blanks Law
44	2:06-cv-11333-EEF-DEK	Burns, Kathleen M	Burch, James	Scotland	Joseph C. Blanks Law
45	2:07-cv-00395-EEF-DEK	Byrne, Angela		Ireland	Joseph C. Blanks Law
46	2:06-cv-11333-EEF-DEK	Byrne, Ellen J	Byrne, Sharon S	England	Joseph C. Blanks Law
47	2:06-cv-11333-EEF-DEK	Calder, Robert	Calder, Janette	Scotland	Joseph C. Blanks Law
48	2:06-cv-11333-EEF-DEK	Cameron, Robert B		Scotland	Joseph C. Blanks Law
49	08-cv-01614	Campbell, John	Campbell, Elizabeth	United Kingdom	Joseph C. Blanks Law
50	2:06-cv-11333-EEF-DEK	Campbell, Kathleen	Campbell, Thomas	Scotland	Joseph C. Blanks Law
51	2:06-cv-11333-EEF-DEK	Campbell, Neil	Campbell, Mrs	Scotland	Joseph C. Blanks Law
52	2:06-cv-11333-EEF-DEK	Cartledge, Anne	Cartledge, Robert	Scotland	Joseph C. Blanks Law
53	2:06-cv-11333-EEF-DEK	Chamberlain, Elizabeth	Chamberlain, Victor L	Scotland	Joseph C. Blanks Law
54	2:06-cv-11333-EEF-DEK	Chisnall, Edward H		Scotland	Joseph C. Blanks Law
55	2:06-cv-11333-EEF-DEK	Clancy, Hugh	Clancy, Mrs	Scotland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
56	2:06-cv-11333-EEF-DEK	Clark, George	Clark, Ann M	Scotland	Joseph C. Blanks Law
57	2:06-cv-11333-EEF-DEK	Clark, Isabelle A	Clark, John A	United Kingdom	Joseph C. Blanks Law
58	2:06-cv-11333-EEF-DEK	Clark, Margaret W Rose	Rose, Henry M	United Kingdom	Joseph C. Blanks Law
59	2:06-cv-11333-EEF-DEK	Cliffe, Ian P	Cliffe, Sylvia M	Scotland	Joseph C. Blanks Law
60	2:06-cv-11333-EEF-DEK	Clive, Jean		Scotland	Joseph C. Blanks Law
61	2:06-cv-11333-EEF-DEK	Cochrane, Robert	Cochrane, Maria T	Scotland	Joseph C. Blanks Law
62	2:06-cv-11333-EEF-DEK	Colclough, James C	Colclough, Joyce M	Scotland	Joseph C. Blanks Law
63	2:06-cv-11333-EEF-DEK	Cole, Andrew H	Cole, Christina M	England	Joseph C. Blanks Law
64	08-cv-01615	Collins, Marion	N/A	United Kingdom	Joseph C. Blanks Law
65	2:06-cv-11333-EEF-DEK	Combe, Jeananne H		England	Joseph C. Blanks Law
66	2:07-cv-00395-EEF-DEK	Connolly, Linda	Connolly, Mr	Scotland	Joseph C. Blanks Law
67	2:06-cv-11333-EEF-DEK	Conroy, Alice	Conroy, John	United Kingdom	Joseph C. Blanks Law
68	2:06-cv-11333-EEF-DEK	Costello, Christina	Costello, Charles	Scotland	Joseph C. Blanks Law
69	2:06-cv-11333-EEF-DEK	Craven, Sheila	Craven, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
70	2:07-cv-00395-EEF-DEK	Crosby, Douglas Victor	Crosby, Mrs	England	Joseph C. Blanks Law
71	2:06-cv-11333-EEF-DEK	Cullen, William	Cullen, James	Scotland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
72	2:06-cv-11333-EEF-DEK	Cunningham, Catherine		Scotland	Joseph C. Blanks Law
73	2:06-cv-11333-EEF-DEK	Cunningham, Evelyn E		Scotland	Joseph C. Blanks Law
74	2:06-cv-11333-EEF-DEK	Cunningham, Steven	Cunningham, Mrs	Scotland	Joseph C. Blanks Law
75	2:06-cv-11333-EEF-DEK	Cunningham, William	Cunningham, Ann	Scotland	Joseph C. Blanks Law
76	2:06-cv-11333-EEF-DEK	Dallas, Sandra E	Dallas, Paul	Scotland	Joseph C. Blanks Law
77	2:07-cv-00395-EEF-DEK	Daly, George		Great Britain and Northern Ireland	Joseph C. Blanks Law
78	2:06-cv-11333-EEF-DEK	Dar, Muhammad A	Dar, Naira S	Scotland	Joseph C. Blanks Law
79	2:06-cv-11333-EEF-DEK	Dawson, Sandra	Dawson, Anthony Alan	United Kingdom	Joseph C. Blanks Law
80	2:06-cv-11333-EEF-DEK	Dempster, Ann	Dempster, James	Scotland	Joseph C. Blanks Law
81	2:06-cv-11333-EEF-DEK	Devenay, Ann M		Scotland	Joseph C. Blanks Law
82	2:06-cv-11333-EEF-DEK	Devlin, Margaret	Devlin, Mr	Scotland	Joseph C. Blanks Law
83	2:06-cv-11333-EEF-DEK	Dodds, Christina	Dodds, Thomas	Scotland	Joseph C. Blanks Law
84	2:06-cv-11333-EEF-DEK	Doherty, Catherine		Scotland	Joseph C. Blanks Law
85	2:06-cv-11333-EEF-DEK	Donegan, Marie	Donegan, Mr	United Kingdom	Joseph C. Blanks Law
86	2:06-cv-11333-EEF-DEK	Donegan, Marie K	Donegan, Mr	Scotland	Joseph C. Blanks Law
87	2:06-cv-11333-EEF-DEK	Douglas, Jane H	Douglas, Mr	Scotland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
88	2:06-cv-11333-EEF-DEK	Dowling, John M	Dowling, Eilish A	Ireland	Joseph C. Blanks Law
89	2:06-cv-11333-EEF-DEK	Duguid, Charles J	Duguid, Charles J	Scotland	Joseph C. Blanks Law
90	2:07-cv-00395-EEF-DEK	Duncan, Margaret A W		Great Britain and Northern Ireland	Joseph C. Blanks Law
91	2:07-cv-00395-EEF-DEK	Dunlop, Ann	Dunlop, James	Scotland	Joseph C. Blanks Law
92	2:06-cv-11333-EEF-DEK	Dunsmuir, Linda	Dunsmuir, Kenneth R	Scotland	Joseph C. Blanks Law
93	2:06-cv-11333-EEF-DEK	Dyer, Kate R		Great Britain and Northern Ireland	Joseph C. Blanks Law
94	2:06-cv-11333-EEF-DEK	Elder, John A	Elder, Deborah T	Scotland	Joseph C. Blanks Law
95	2:06-cv-11333-EEF-DEK	Evans, Elizabeth	Winning, William	Scotland	Joseph C. Blanks Law
96	2:07-cv-00395-EEF-DEK	Evans, Jennifer		Great Britain and Northern Ireland	Joseph C. Blanks Law
97	2:06-cv-11333-EEF-DEK	Finlayson, Helen	Finlayson, Mr.	Scotland	Joseph C. Blanks Law
98	2:06-cv-11333-EEF-DEK	Flynn, Thomas	Flynn, Mrs.	Scotland	Joseph C. Blanks Law
99	2:06-cv-11333-EEF-DEK	Forbes, John B	Forbes, Johanna K	Great Britain and Northern Ireland	Joseph C. Blanks Law
100	2:07-cv-00395-EEF-DEK	Forrest, Ronald		England	Joseph C. Blanks Law
101	2:06-cv-11333-EEF-DEK	Freeland, Elizabeth M		Scotland	Joseph C. Blanks Law
102	2:06-cv-11333-EEF-DEK	Gara, John	Gara, Margaret	Scotland	Joseph C. Blanks Law
103	2:06-cv-11333-EEF-DEK	Gillespie, William J	Gillespie, Sheila	Scotland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
104	2:06-cv-11333-EEF-DEK	Gillett, Denys A	Gillett, Marie	England	Joseph C. Blanks Law
105	2:06-cv-11333-EEF-DEK	Gilpin, Sheila D	Gilpin, Mr.	Great Britain and Northern Ireland	Joseph C. Blanks Law
106	2:06-cv-11333-EEF-DEK	Glaisher, Janet M		Scotland	Joseph C. Blanks Law
107	2:06-cv-11333-EEF-DEK	Gorrie, Pauline F	Gorrie, Thomas A	Scotland	Joseph C. Blanks Law
108	2:06-cv-11333-EEF-DEK	Gray, Kenneth	Gray, Isabella	Scotland	Joseph C. Blanks Law
109	2:06-cv-11333-EEF-DEK	Gray, Leonard	Gray, Gail	England	Joseph C. Blanks Law
110	2:06-cv-11333-EEF-DEK	Greenock, Jean	Greenock, Robert	Scotland	Joseph C. Blanks Law
111	2:06-cv-11333-EEF-DEK	Greig, James B		England	Joseph C. Blanks Law
112	2:06-cv-11333-EEF-DEK	Griffin, Jean F	Griffin, Shaun P	England	Joseph C. Blanks Law
113	2:06-cv-11333-EEF-DEK	Guillot, Bernard J	Guillot, Susan L	Scotland	Joseph C. Blanks Law
114	2:06-cv-11333-EEF-DEK	Guthrie, Josephine M		Scotland	Joseph C. Blanks Law
115	2:06-cv-11333-EEF-DEK	Hall, John T	Hall, Honor M	Scotland	Joseph C. Blanks Law
116	2:07-cv-00395-EEF-DEK	Hamilton, David	Hamilton, Ann	Scotland	Joseph C. Blanks Law
117	2:06-cv-11333-EEF-DEK	Hamilton, Janette		Scotland	Joseph C. Blanks Law
118	08-cv-01616	Hamilton, William	Hamilton, Janette	United Kingdom	Joseph C. Blanks Law
119	2:07-cv-00395-EEF-DEK	Harris, Amanda Jane		Great Britain and Northern Ireland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
120	2:06-cv-11333-EEF-DEK	Harrower, Janet	Harrower, Mr.	Scotland	Joseph C. Blanks Law
121	2:07-cv-00395-EEF-DEK	Hart, Philip		England	Joseph C. Blanks Law
122	2:06-cv-11333-EEF-DEK	Haslam, Olive		England	Joseph C. Blanks Law
123	2:06-cv-11333-EEF-DEK	Hawkins, Frederick	Hawkins, Dorothy	United Kingdom	Joseph C. Blanks Law
124	2:06-cv-11333-EEF-DEK	Hawtin, Ian M	Hawtin, Andrea	Great Britain and Northern Ireland	Joseph C. Blanks Law
125	2:06-cv-11333-EEF-DEK	Hay, Stanley R	Hay, Mary T C	Scotland	Joseph C. Blanks Law
126	2:07-cv-00395-EEF-DEK	Hayes, Mary	Hayes, Niall J	Ireland	Joseph C. Blanks Law
127	2:06-cv-11333-EEF-DEK	Hilsdon, Zetta M	Hilsdon, Joseph A	England	Joseph C. Blanks Law
128	2:06-cv-11333-EEF-DEK	Hodge, Elizabeth	Hodge, Matthew H	Scotland	Joseph C. Blanks Law
129	2:06-cv-11333-EEF-DEK	Hogg, Donald McDonald	Hogg, Margaret M	Scotland	Joseph C. Blanks Law
130	2:06-cv-11333-EEF-DEK	Howe, William		England	Joseph C. Blanks Law
131	2:06-cv-11333-EEF-DEK	Huckvale, Ronald	Huckvale, Margaret	England	Joseph C. Blanks Law
132	2:06-cv-11333-EEF-DEK	Hughes, Denise Maria	Hughes, Samuel J	Great Britain and Northern Ireland	Joseph C. Blanks Law
133	2:06-cv-11333-EEF-DEK	Hughes, Sheila	Hughes, Thomas	Scotland	Joseph C. Blanks Law
134	2:06-cv-11333-EEF-DEK	Hunter, Agnes G	McGone, James	Scotland	Joseph C. Blanks Law
135	2:07-cv-00395-EEF-DEK	Hunter, Helen		Great Britain and Northern Ireland	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
136	2:06-cv-11333-EEF-DEK	Hurles, Francis P	Hurles, Mr	Scotland	Joseph C. Blanks Law
137	2:06-cv-11333-EEF-DEK	Innes, Elizabeth W		Scotland	Joseph C. Blanks Law
138	2:06-cv-11333-EEF-DEK	Ionta, Giovanna	Ionta, Thomas	Scotland	Joseph C. Blanks Law
139	2:06-cv-11333-EEF-DEK	Jack, Elizabeth	Jack, James	Scotland	Joseph C. Blanks Law
140	2:06-cv-11333-EEF-DEK	Jackson, Ann J		Scotland	Joseph C. Blanks Law
141	2:07-cv-00395-EEF-DEK	James, Anthony		Great Britain and Northern Ireland	Joseph C. Blanks Law
142	2:06-cv-11333-EEF-DEK	Jamieson, John H	Jamieson, Lorna S	Scotland	Joseph C. Blanks Law
143	2:06-cv-11333-EEF-DEK	Jenkins, Brenda M		England	Joseph C. Blanks Law
144	2:06-cv-11333-EEF-DEK	Johnson, Margaret	Johnson, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
145	2:06-cv-11333-EEF-DEK	Johnston, Thomas	Reilly, Isabel	Scotland	Joseph C. Blanks Law
146	2:06-cv-11333-EEF-DEK	Johnstone, Duncan T	Johnstone, Sandra M	Scotland	Joseph C. Blanks Law
147	2:06-cv-11333-EEF-DEK	Jones, Brian Charles	Jones, Elizabeth	Great Britain and Northern Ireland	Joseph C. Blanks Law
148	2:06-cv-11333-EEF-DEK	Jones, Frances	Jones, Frederick J	Scotland	Joseph C. Blanks Law
149	2:06-cv-11333-EEF-DEK	Jones, Jean	Jones, William	Scotland	Joseph C. Blanks Law
150	2:06-cv-11333-EEF-DEK	Jones, William G	Jones, Joan M	Great Britain and Northern Ireland	Joseph C. Blanks Law
151	2:06-cv-11333-EEF-DEK	Kadziola, Harold	Kadziola, Joan E	England	Joseph C. Blanks Law

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
152	2:06-cv-11333-EEF-DEK	Kelly, Jane	Kelly, Mr	Scotland	Joseph C. Blanks Law
153	2:06-cv-11333-EEF-DEK	Kelly, Maureen	Kelly, Mr	Scotland	Joseph C. Blanks Law
154	2:06-cv-11333-EEF-DEK	Kemp, Valerie	Kemp, David M	England	Joseph C. Blanks Law
155	2:07-cv-00395-EEF-DEK	Kendrick, Anthony		Great Britain and Northern Ireland	Joseph C. Blanks Law
156	2:06-cv-11333-EEF-DEK	Kerr, James		Scotland	Joseph C. Blanks Law
157	2:06-cv-11333-EEF-DEK	Kett, Jeanette	Kett, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
158	2:06-cv-11333-EEF-DEK	Kilday, Fiona	Kilday, William	Scotland	Joseph C. Blanks Law
159	2:06-cv-11333-EEF-DEK	King, Gladys E	King, Colin	England	Joseph C. Blanks Law
160	2:06-cv-11333-EEF-DEK	King, Thomas	King, Mrs	Great Britain and Northern Ireland	Joseph C. Blanks Law
161	2:06-cv-11333-EEF-DEK	Kupczak, John D		England	Joseph C. Blanks Law
162	2:06-cv-11333-EEF-DEK	Kyle, Derrick	Kyle, Patricia J D	Great Britain and Northern Ireland	Joseph C. Blanks Law
163	2:06-cv-11333-EEF-DEK	Laird, Margaret H		Scotland	Joseph C. Blanks Law
164	2:06-cv-11333-EEF-DEK	Latham, Elaine	Latham, Mr	Scotland	Joseph C. Blanks Law
165	2:06-cv-11333-EEF-DEK	Law, David W	Law, Marion H	Scotland	Joseph C. Blanks Law
166	2:06-cv-11333-EEF-DEK	Law, Derek K	Law, Sheila M	England	Joseph C. Blanks Law
167	2:06-cv-11333-EEF-DEK	Lawson, William	Lawson, Jean	Scotland	Joseph C. Blanks Law

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168	2:06-cv-11333-EEF-DEK	Leak, Catherine	Leak, William E	Great Britain and Northern Ireland	Joseph C. Blanks Law
169	2:06-cv-11333-EEF-DEK	Lennon, Agnes S	Lennon, James	Scotland	Joseph C. Blanks Law
170	2:06-cv-11333-EEF-DEK	Leonard, Francis		Scotland	Joseph C. Blanks Law
171	2:06-cv-11333-EEF-DEK	Lettin, Margaret E I	Lettin, Nelson	Scotland	Joseph C. Blanks Law
172	2:06-cv-11333-EEF-DEK	Lewis, Robert	Lewis, Lorraine F	Great Britain and Northern Ireland	Joseph C. Blanks Law
173	2:06-cv-11333-EEF-DEK	Linford, John	Linford, Muriel	England	Joseph C. Blanks Law
174	2:07-cv-00395-EEF-DEK	Locke, Leon	Locke, Greta	United Kingdom	Joseph C. Blanks Law
175	2:06-cv-11333-EEF-DEK	Lockhart, Anthony	Lockhart, Patricia B	Scotland	Joseph C. Blanks Law
176	2:06-cv-11333-EEF-DEK	Love, Rachel F	Love, Gordon	Scotland	Joseph C. Blanks Law
177	2:06-cv-11333-EEF-DEK	Lyttle, George T	Lyttle, Eleanor	Scotland	Joseph C. Blanks Law
178	2:06-cv-11333-EEF-DEK	MacDonald, Angus	MacDonald, Elizabeth	United Kingdom	Joseph C. Blanks Law
179	2:06-cv-11333-EEF-DEK	MacDonald, Christina T	MacDonald, James S	Scotland	Joseph C. Blanks Law
180	2:06-cv-11333-EEF-DEK	Mackay, Catherine M	Mackay, Ronnie A	Scotland	Joseph C. Blanks Law
181	2:06-cv-11333-EEF-DEK	Mackay, Mary	Mackay, Donald M	Scotland	Joseph C. Blanks Law
182	2:06-cv-11333-EEF-DEK	MacLeod, John	MacLeod, Ann B	Scotland	Joseph C. Blanks Law
183	2:06-cv-11333-EEF-DEK	MacMillan, Maureen	MacMillan, Alexander	Scotland	Joseph C. Blanks Law

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184	2:06-cv-11333-EEF-DEK	Magee, Catherine	Magee, Ronald	Scotland	Joseph C. Blanks Law
185	2:06-cv-11333-EEF-DEK	Magee, Robert W	Magee, Mrs	Great Britain and Northern Ireland	Joseph C. Blanks Law
186	2:06-cv-11333-EEF-DEK	Mair, Robert		Great Britain and Northern Ireland	Joseph C. Blanks Law
187	2:06-cv-11333-EEF-DEK	Manley, Samuel	Manley, Mrs	Great Britain and Northern Ireland	Joseph C. Blanks Law
188	2:06-cv-11333-EEF-DEK	Marsili, Mary H	Marsili, Eliseo	Scotland	Joseph C. Blanks Law
189	2:06-cv-11333-EEF-DEK	Mayne, Lilian Y		Scotland	Joseph C. Blanks Law
190	2:06-cv-11333-EEF-DEK	McAdam, John	McAdam, Patricia	Scotland	Joseph C. Blanks Law
191	2:06-cv-11333-EEF-DEK	McAllister, Neil		Scotland	Joseph C. Blanks Law
192	2:06-cv-11333-EEF-DEK	McBurnie, William		Scotland	Joseph C. Blanks Law
193	2:06-cv-11333-EEF-DEK	McCallum, Alexander		Scotland	Joseph C. Blanks Law
194	2:06-cv-11333-EEF-DEK	McCarthy, Andy	McCarthy, Bridget	Ireland	Joseph C. Blanks Law
195	2:06-cv-11333-EEF-DEK	McCartney, Mary H		Scotland	Joseph C. Blanks Law
196	2:06-cv-11333-EEF-DEK	McComb, James	McComb, Gordon	Scotland	Joseph C. Blanks Law
197	2:06-cv-11333-EEF-DEK	McCracken, John G	McCracken, Aileen M	Scotland	Joseph C. Blanks Law
198	2:06-cv-11333-EEF-DEK	McCracken, John R	McCracken, Margaret C	Scotland	Joseph C. Blanks Law
199	2:06-cv-11333-EEF-DEK	McDevitt, Anthony	McDevitt, Kathleen	Scotland	Joseph C. Blanks Law

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200	2:06-cv-11333-EEF-DEK	McDonald, Jean Margaret	McDonald, Thomas S	England	Joseph C. Blanks Law
201	2:06-cv-11333-EEF-DEK	McDonald, Richard	McDonald, Mrs	Ireland	Joseph C. Blanks Law
202	2:06-cv-11333-EEF-DEK	McDowall, William	McDowall, Margaret	Scotland	Joseph C. Blanks Law
203	2:06-cv-11333-EEF-DEK	McGeachy, Marion	McGeachy, Hugh	Scotland	Joseph C. Blanks Law
204	2:06-cv-11333-EEF-DEK	McGrael, John F		Ireland	Joseph C. Blanks Law
205	2:06-cv-11333-EEF-DEK	McGrath, Patrick		Scotland	Joseph C. Blanks Law
206	2:06-cv-11333-EEF-DEK	McGreal, John F	McGrael, Catherine	Ireland	Joseph C. Blanks Law
207	2:06-cv-11333-EEF-DEK	McGuire, William		United Kingdom	Joseph C. Blanks Law
208	2:06-cv-11333-EEF-DEK	McIlduff, Agnes	McIlduff, William	Scotland	Joseph C. Blanks Law
209	2:06-cv-11333-EEF-DEK	McIntosh, Heather	McIntosh, Thomas B	United Kingdom	Joseph C. Blanks Law
210	2:06-cv-11333-EEF-DEK	McIntosh, Thomas B		Scotland	Joseph C. Blanks Law
211	2:06-cv-11333-EEF-DEK	McKean, Catherine	McKean, John	Scotland	Joseph C. Blanks Law
212	2:06-cv-11333-EEF-DEK	McLaren, John B	Law, Norma	Scotland	Joseph C. Blanks Law
213	2:06-cv-11333-EEF-DEK	McLaughlin, Jean		Scotland	Joseph C. Blanks Law
214	2:06-cv-11333-EEF-DEK	McLaughlin, Sarah J	McLaughlin, Gerard	Scotland	Joseph C. Blanks Law
215	2:06-cv-11333-EEF-DEK	McMahon, Isabella K	McMahon, Thomas	Scotland	Joseph C. Blanks Law

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216	2:06-cv-11333-EEF-DEK	McMahon, Joseph P	McMahon, Kathleen	Ireland	Joseph C. Blanks Law
217	2:06-cv-11333-EEF-DEK	McMahon, Kathleen	McMahon, Michael	Scotland	Joseph C. Blanks Law
218	2:06-cv-11333-EEF-DEK	McMeel, Patrick A	McMeel, Bertha M	Ireland	Joseph C. Blanks Law
219	2:07-cv-00395-EEF-DEK	McMeel, Patrick G	McMeel, Bertha	Ireland	Joseph C. Blanks Law
220	2:06-cv-11333-EEF-DEK	McMillan, Margaret	McMillan, Robert	Scotland	Joseph C. Blanks Law
221	2:06-cv-11333-EEF-DEK	McNeillie, Isabel		Ireland	Joseph C. Blanks Law
222	2:06-cv-11333-EEF-DEK	Meechan, Mary		Scotland	Joseph C. Blanks Law
223	2:06-cv-11333-EEF-DEK	Miles, Leslie J P	Miles, Ann D	Scotland	Joseph C. Blanks Law
224	2:07-cv-00395-EEF-DEK	Mill, Steven		United Kingdom	Joseph C. Blanks Law
225	2:06-cv-11333-EEF-DEK	Millar, Christopher	Millar, Mrs	United Kingdom	Joseph C. Blanks Law
226	2:06-cv-11333-EEF-DEK	Millar, Morag		Scotland	Joseph C. Blanks Law
227	2:06-cv-11333-EEF-DEK	Miller, Dudley	Miller, Aileen J	Great Britain and Northern Ireland	Joseph C. Blanks Law
228	2:06-cv-11333-EEF-DEK	Miller, Mary		Scotland	Joseph C. Blanks Law
229	2:06-cv-11333-EEF-DEK	Milne, Margaret A	Milne, George F	Scotland	Joseph C. Blanks Law
230	2:06-cv-11333-EEF-DEK	Moffat, June	Moffat, Mr	Scotland	Joseph C. Blanks Law
231	2:06-cv-11333-EEF-DEK	Mooney, Robert	Mooney, Mary	Scotland	Joseph C. Blanks Law

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232	2:06-cv-11333-EEF-DEK	Moore, Eileen		England	Joseph C. Blanks Law
233	2:06-cv-11333-EEF-DEK	Moran, Robert	Moran, Mrs	Scotland	Joseph C. Blanks Law
234	2:06-cv-11333-EEF-DEK	Morris, Kathleen	Morris, Alexander	Scotland	Joseph C. Blanks Law
235	2:06-cv-11333-EEF-DEK	Morrison, Helen	Morrison, William	Scotland	Joseph C. Blanks Law
236	2:06-cv-11333-EEF-DEK	Muir, William	Muir, Sylvianne	Scotland	Joseph C. Blanks Law
237	2:06-cv-11333-EEF-DEK	Murdoch, James M	Murdoch, Mary	Scotland	Joseph C. Blanks Law
238	2:06-cv-11333-EEF-DEK	Murphy, Daniel	Murphy, Sandra D	Scotland	Joseph C. Blanks Law
239	2:06-cv-11333-EEF-DEK	Murphy, David	Murphy, Solange A	England	Joseph C. Blanks Law
240	2:06-cv-11333-EEF-DEK	Murray, Robert	Murray, Dianne	Scotland	Joseph C. Blanks Law
241	2:06-cv-11333-EEF-DEK	Neill, Alice	Neill, Mr	Scotland	Joseph C. Blanks Law
242	2:06-cv-11333-EEF-DEK	Nicol, Winton	Nicol, Margaret H	Scotland	Joseph C. Blanks Law
243	2:06-cv-11333-EEF-DEK	OHagan, John	OHagan, Sarah	Scotland	Joseph C. Blanks Law
244	2:06-cv-11333-EEF-DEK	Oldman, Irene J		Scotland	Joseph C. Blanks Law
245	2:06-cv-11333-EEF-DEK	Paige, Anne		Scotland	Joseph C. Blanks Law
246	2:06-cv-11333-EEF-DEK	Paisley, Andrew	Paisley, Mrs	Scotland	Joseph C. Blanks Law
247	2:06-cv-11333-EEF-DEK	Paterson, Moira D	Souter, Mary Doig	United Kingdom	Joseph C. Blanks Law

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248	2:06-cv-11333-EEF-DEK	Pinterich, Patricia	Pinterich, Vincent E	Scotland	Joseph C. Blanks Law
249	2:06-cv-11333-EEF-DEK	Preston, Catherine	Preston, Roy	Scotland	Joseph C. Blanks Law
250	2:06-cv-11333-EEF-DEK	Price, David	Price, Margaret E	England	Joseph C. Blanks Law
251	2:06-cv-11333-EEF-DEK	Purves, William	Purves, Thomasina A	Scotland	Joseph C. Blanks Law
252	2:06-cv-11333-EEF-DEK	Reid, Donald M	Reid, Myra J	Scotland	Joseph C. Blanks Law
253	08-cv-01617	Reid, Henry	Reid, Carolyn	United Kingdom	Joseph C. Blanks Law
254	2:06-cv-11333-EEF-DEK	Reilly, John	Reilly, LisaAnne	United Kingdom	Joseph C. Blanks Law
255	2:06-cv-11333-EEF-DEK	Relf, Bridget P		England	Joseph C. Blanks Law
256	2:06-cv-11333-EEF-DEK	Rendall, Robert M		Scotland	Joseph C. Blanks Law
257	2:06-cv-11333-EEF-DEK	Richardson, Jacqueline E		Scotland	Joseph C. Blanks Law
258	2:07-cv-00395-EEF-DEK	Rimmer, Derek		Great Britain and Northern Ireland	Joseph C. Blanks Law
259	2:06-cv-11333-EEF-DEK	Robertson, Andrew	Robertson, Caroline	Scotland	Joseph C. Blanks Law
260	2:06-cv-11333-EEF-DEK	Robertson, Catherine		Scotland	Joseph C. Blanks Law
261	2:06-cv-11333-EEF-DEK	Robertson, Charles	Robertson, Elizabeth	Scotland	Joseph C. Blanks Law
262	2:06-cv-11333-EEF-DEK	Robertson, William	Robertson, Margaret R	Scotland	Joseph C. Blanks Law
263	2:06-cv-11333-EEF-DEK	Robin, Miep	Robin, Mrs	Great Britain and Northern Ireland	Joseph C. Blanks Law

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264	2:06-cv-11333-EEF-DEK	Rodger, Alexander M	Valante, Frieda	Scotland	Joseph C. Blanks Law
265	2:06-cv-11333-EEF-DEK	Rogers, Isobel C		Scotland	Joseph C. Blanks Law
266	2:06-cv-11333-EEF-DEK	Roose, Ronald	Roose, Anne	Scotland	Joseph C. Blanks Law
267	2:06-cv-11333-EEF-DEK	Ross, Farquhar M	Ross, Alan S	Scotland	Joseph C. Blanks Law
268	2:07-cv-00395-EEF-DEK	Rutherford, Ross	Berry, Annette	Scotland	Joseph C. Blanks Law
269	2:06-cv-11333-EEF-DEK	Samson, Rosemary	Samson, Thomas	Scotland	Joseph C. Blanks Law
270	2:07-cv-00395-EEF-DEK	Searle, Agnes	Searle, Henry	Scotland	Joseph C. Blanks Law
271	2:06-cv-11333-EEF-DEK	Shearer, James	Shearer, Elizabeth	Scotland	Joseph C. Blanks Law
272	2:06-cv-11333-EEF-DEK	Skelly, Aileen M	Skelly, John W	Scotland	Joseph C. Blanks Law
273	2:06-cv-11333-EEF-DEK	Skinner, Peter R	Skinner, Pauline L	Great Britain and Northern Ireland	Joseph C. Blanks Law
274	2:06-cv-11333-EEF-DEK	Small, Florence S	Small, James G	United Kingdom	Joseph C. Blanks Law
275	2:06-cv-11333-EEF-DEK	Smith, Abram Joseph	Smith, RoseAnne	Great Britain and Northern Ireland	Joseph C. Blanks Law
276	2:06-cv-11333-EEF-DEK	Smith, Cynthia	Smith, John D	England	Joseph C. Blanks Law
277	2:06-cv-11333-EEF-DEK	Smith, Robert C	Smith, Geraldine	Scotland	Joseph C. Blanks Law
278	2:07-cv-00395-EEF-DEK	Stark, Robert	Stark, Fiona	Scotland	Joseph C. Blanks Law
279	2:06-cv-11333-EEF-DEK	Steele, Ellen	Steele, Stephen	Scotland	Joseph C. Blanks Law

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280	2:06-cv-11333-EEF-DEK	Steven, Isabella		Great Britain and Northern Ireland	Joseph C. Blanks Law
281	2:06-cv-11333-EEF-DEK	Stewart, Isabella S		Scotland	Joseph C. Blanks Law
282	2:06-cv-11333-EEF-DEK	Stilges, Agnes	Stilges, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
283	2:06-cv-11333-EEF-DEK	Stuart, Patrick	Stuart, Catherine Emma Booth	United Kingdom	Joseph C. Blanks Law
284	2:06-cv-11333-EEF-DEK	Stubbings, Eleanor		Great Britain and Northern Ireland	Joseph C. Blanks Law
285	2:06-cv-11333-EEF-DEK	Sturt, Colin Chas	Sturt, Patricia M	England	Joseph C. Blanks Law
286	2:06-cv-11333-EEF-DEK	Taylor, Agnes		Scotland	Joseph C. Blanks Law
287	2:07-cv-00395-EEF-DEK	Taylor, Mark	Taylor, Mrs	Great Britain and Northern Ireland	Joseph C. Blanks Law
288	2:06-cv-11333-EEF-DEK	Taylor, William		Scotland	Joseph C. Blanks Law
289	2:06-cv-11333-EEF-DEK	Taylor, William Trevor	Taylor, Lesley I	United Kingdom	Joseph C. Blanks Law
290	2:07-cv-00395-EEF-DEK	Tew, Hazel		England	Joseph C. Blanks Law
291	2:06-cv-11333-EEF-DEK	Thomas, Royston	Thomas, Doris	Great Britain and Northern Ireland	Joseph C. Blanks Law
292	2:06-cv-11333-EEF-DEK	Thomson, Adam W	Thomson, Georgina A	Scotland	Joseph C. Blanks Law
293	2:06-cv-11333-EEF-DEK	Thomson, Archie J	Thomson, Laura M	Scotland	Joseph C. Blanks Law
294	2:06-cv-11333-EEF-DEK	Thomson, George R	Thomson, Helen	Scotland	Joseph C. Blanks Law
295	2:06-cv-11333-EEF-DEK	Thomson, Olga		Scotland	Joseph C. Blanks Law

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296	2:06-cv-11333-EEF-DEK	Tibbetts, Beatrice M		Scotland	Joseph C. Blanks Law
297	2:06-cv-11333-EEF-DEK	Timms, Frederick	Timms, Elizabeth	Scotland	Joseph C. Blanks Law
298	2:06-cv-11333-EEF-DEK	Tudhope, Steele	Tudhope, Mrs	Scotland	Joseph C. Blanks Law
299	2:06-cv-11333-EEF-DEK	Vannvil, Elizabeth	Vannvil, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
300	2:07-cv-00395-EEF-DEK	Walker, Jacqueline	Walker, Frazer	Scotland	Joseph C. Blanks Law
301	2:06-cv-11333-EEF-DEK	Walker, Sheena H	Walker, Alan M	Scotland	Joseph C. Blanks Law
302	2:06-cv-11333-EEF-DEK	Ward, James	Ward, Nancy	England	Joseph C. Blanks Law
303	2:06-cv-11333-EEF-DEK	Warrilow, Elizabeth	Warrilow, Neil D	Scotland	Joseph C. Blanks Law
304	2:06-cv-11333-EEF-DEK	Watkins, Henry B	Watkins, Dora	Scotland	Joseph C. Blanks Law
305	2:06-cv-11333-EEF-DEK	Watson, Agnes Sheila	Watson, John A	Scotland	Joseph C. Blanks Law
306	2:07-cv-00395-EEF-DEK	Watson, Ian	Watson, Mrs	Scotland	Joseph C. Blanks Law
307	2:06-cv-11333-EEF-DEK	Watson, John M	Watson, Alice B	Scotland	Joseph C. Blanks Law
308	2:06-cv-11333-EEF-DEK	Watson, Lorna		Scotland	Joseph C. Blanks Law
309	2:06-cv-11333-EEF-DEK	Wauchope, William G	Wauchope, Avril	Scotland	Joseph C. Blanks Law
310	2:06-cv-11333-EEF-DEK	Waugh, Mavis J	Waugh, Harry	Scotland	Joseph C. Blanks Law
311	2:06-cv-11333-EEF-DEK	Webster, Gordon	Webster, Elaine	Scotland	Joseph C. Blanks Law

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312	2:06-cv-11333-EEF-DEK	Weegram, Alexander M	Weegram, Edith P	England	Joseph C. Blanks Law
313	2:07-cv-00395-EEF-DEK	Wilkins, Vivienne	Wilkins, Mr	England	Joseph C. Blanks Law
314	2:06-cv-11333-EEF-DEK	Williams, Myfanwy	Williams, Mr	Great Britain and Northern Ireland	Joseph C. Blanks Law
315	08-cv-01618	Williamson, John	Williamson, Margaret	United Kingdom	Joseph C. Blanks Law
316	2:06-cv-11333-EEF-DEK	Wiseman, James	Wiseman, Frances H	Scotland	Joseph C. Blanks Law
317	2:06-cv-11333-EEF-DEK	Woods, Michael	Woods, Helena	Wales	Joseph C. Blanks Law
318	2:06-cv-11333-EEF-DEK	Woolley, Maureen		England	Joseph C. Blanks Law
319	2:06-cv-11333-EEF-DEK	Wotherspoon, Graham	Wotherspoon, Agnes J	Scotland	Joseph C. Blanks Law
320	2:06-cv-11333-EEF-DEK	Wotherspoon, Michael		Scotland	Joseph C. Blanks Law
321	2:06-cv-11333-EEF-DEK	Wright, Duncan	Wright, Julie	Great Britain and Northern Ireland	Joseph C. Blanks Law
322	2:06-cv-11333-EEF-DEK	Wyper, Sheila	Wyper, Mr	Scotland	Joseph C. Blanks Law
323	2:06-cv-11333-EEF-DEK	Young, Robert		Scotland	Joseph C. Blanks Law
324	2:06-cv-11333-EEF-DEK	Youngs, Geraldine A	Youngs, Frederick A	England	Joseph C. Blanks Law
325	2:06-cv-02208-EEF-DEK	Arguelles, Adolfo		Canada	Barnes Firm PC; Trepanier and MacGillis PA
326	2:06-cv-02198-EEF-DEK	Blazieko, Judith M	Martin, David	Canada	Barnes Firm PC; Trepanier and MacGillis PA

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327	2:06-cv-02203-EEF-DEK	Farmer, Don		Canada	Barnes Firm PC;Trepanier and MacGillis PA
328	2:06-cv-02211-EEF-DEK	Galida, Robert		Canada	Barnes Firm PC;Trepanier and MacGillis PA
329	2:06-cv-10625-EEF-DEK	Hudson, John	Hudson, Jean	Canada	Barnes Firm PC;Trepanier and MacGillis PA
330	2:06-cv-02212-EEF-DEK	Ibrahim, Samir		Canada	Barnes Firm PC;Trepanier and MacGillis PA
331	2:06-cv-02199-EEF-DEK	Law, Elaine	Law, Douglas	Canada	Barnes Firm PC;Trepanier and MacGillis PA
332	2:06-cv-02213-EEF-DEK	Leizert, Herbert		Canada	Barnes Firm PC;Trepanier and MacGillis PA
333	2:06-cv-02208-EEF-DEK	Mitchell, Michael		Canada	Barnes Firm PC;Trepanier and MacGillis PA
334	2:06-cv-02214-EEF-DEK	Nikolova, Maria		Canada	Barnes Firm PC;Trepanier and MacGillis PA
335	2:06-cv-02201-EEF-DEK	Paulo, Pamela	Paulo, Kevin	Canada	Barnes Firm PC;Trepanier and MacGillis PA
336	2:06-cv-02211-EEF-DEK	Pavlovic, Dragutin		Canada	Barnes Firm PC;Trepanier and MacGillis PA

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337	2:07-cv-03480-EEF-DEK	Perruzza, Anna Marie	Perruzza, Concetta M	Canada	Barnes Firm PC; Trepanier and MacGillis PA
338	2:06-cv-02216-EEF-DEK	Puglese, Teresa		Canada	Barnes Firm PC; Trepanier and MacGillis PA
339	2:06-cv-02195-EEF-DEK	Ruzycki, Rick	Ruzycki, Rick	Canada	Barnes Firm PC; Trepanier and MacGillis PA
340	2:06-cv-02196-EEF-DEK	Shaw, William N		Canada	Barnes Firm PC; Trepanier and MacGillis PA
341	2:06-cv-02212-EEF-DEK	Smith, Matthew		Canada	Barnes Firm PC; Trepanier and MacGillis PA
342	2:06-cv-02213-EEF-DEK	Webster, Joseph Arthur		Canada	Barnes Firm PC; Trepanier and MacGillis PA
343	2:06-cv-06999-EEF-DEK	Batista, Bartoloma		Dominican Republic	Lamb Firm LLC
344	2:06-cv-07150-EEF-DEK	Batista, Bartolome		Dominican Republic	Lamb Firm LLC
345	2:06-cv-07150-EEF-DEK	Beato, Jose		Dominican Republic	Lamb Firm LLC
346	2:06-cv-06999-EEF-DEK	Cabrera, Felipe		Dominican Republic	Lamb Firm LLC
347	2:06-cv-06999-EEF-DEK	Capellan, Rita		Dominican Republic	Lamb Firm LLC
348	2:06-cv-06999-EEF-DEK	De La Cruz, Margarita		Dominican Republic	Lamb Firm LLC
349	2:06-cv-07150-EEF-DEK	Dionicio, Dulce		Dominican Republic	Lamb Firm LLC

	Docket Number	Plaintiff Name	Derivative Plaintiffs	Country of Residency	Plaintiff's Counsel
350	2:06-cv-06999-EEF-DEK	Espinal Ramirez, Elva		Dominican Republic	Lamb Firm LLC
351	2:06-cv-07150-EEF-DEK	Fanith, Mireya		Dominican Republic	Lamb Firm LLC
352	2:06-cv-06999-EEF-DEK	Francisco De La Rosa, Ana		Dominican Republic	Lamb Firm LLC
353	2:06-cv-06999-EEF-DEK	Frias, Justina		Dominican Republic	Lamb Firm LLC
354	2:06-cv-07150-EEF-DEK	Gonzalez Patricio, Rhina		Dominican Republic	Lamb Firm LLC
355	2:06-cv-06997-EEF-DEK	Librada Sanchez, Luz	Martinez, Francisco	Dominican Republic	Lamb Firm LLC
356	2:06-cv-06997-EEF-DEK	Lovelace, Camelia		Dominican Republic	Lamb Firm LLC
357	2:06-cv-06997-EEF-DEK	Lovelace, Legia	Lovelace, Camelia	Dominican Republic	Lamb Firm LLC
358	2:06-cv-07150-EEF-DEK	Maria Minyetti, Ana		Dominican Republic	Lamb Firm LLC
359	2:06-cv-06999-EEF-DEK	Paniagua Morillo, Wenceslao		Dominican Republic	Lamb Firm LLC
360	2:06-cv-06999-EEF-DEK	Pichardo Lopez, Milagros		Dominican Republic	Lamb Firm LLC
361	2:06-cv-07150-EEF-DEK	Pimentel De Cabrera, Candy		Dominican Republic	Lamb Firm LLC
362	2:06-cv-06999-EEF-DEK	Pimentel Fernandez, Ramon		Dominican Republic	Lamb Firm LLC
363	2:06-cv-06999-EEF-DEK	Ravelo De Pineyro, Natalia		Dominican Republic	Lamb Firm LLC