**IN THE UNITED STATES DISTRICT COURT**
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| | : | MDL-875 |
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| | : | E.D. PA Case Nos. |
| Baumann v. A.W. Chesterton Company, et al., | : | 11-CV-63517 |
| Burkee v. Degussa-Ney Dental Inc., et al., | : | 10-CV-83247 |
| Ferrara v. Airgas Merchant Gases LLC, et al., | : | 11-CV-63906 |
| Lorentz v. A C and S Inc., et al., | : | 10-CV-61348 |
| Parsons v. A C and S Inc., et al., | : | 10-CV-64587 |
| Pertzborn v. A C and S Inc., et al., | : | 10-CV-61352 |
| Usterbowski v. A C and S Inc., et al., | : | 09-CV-60266 |
| Werner v. A C and S Inc., et al., | : | 10-CV-61908 |
| Wilson v. A C and S Inc., et al., | : | 08-CV-90732 |

**ORDER**

AND NOW, this 18th day of September, 2012, upon consideration of "Plaintiffs['] Motion[s]

to Transfer [Nine CVLO-3] Cases to the CVLO-7 Scheduling Order" (*e.g.* 08-90732 Doc. No. 105)

and the response (*e.g.* 08-90732 Doc. No. 107), it is hereby **ORDERED** that

1.      All motions for joinder are **GRANTED**; and

2.      the motions to transfer are **DENIED.**[1]

BY THE COURT:


 /s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

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[1] What CVLO is effectively asking this court to do is to re-open discovery in these nine cases from the CVLO-3 case group. Discovery has been closed since July 13, 2012 and the time for submitting expert reports ended on August 15, 2012. Plaintiffs have failed to establish good cause for why the case schedules should be so amended. Fed. R. Civ. P. 16(b)(4). Instead, they merely contend that they were not given enough time to complete expert reports and that their "investigation is still on-going to obtain and review additional records for these plaintiffs." (*e.g.* 08-90732 Doc. 105 ¶ 8). We remind CVLO that they were much involved in creating the scheduling order deadlines now in effect. Without establishing good cause, we are unwilling to shuffle cases from earlier case groups into the final case group. See ( Pray v. A.C. and S., 08-91884 Doc. 94) (Judge Robreno rejecting the argument that, given the amount of cases plaintiffs brought, they were not given enough time to comply with scheduling deadlines).