

ORDER OF MULTIDISTRICT LITIGATION PANEL

DESIGNATION OF PRETRIAL COURT AND APPOINTMENT OF PRETRIAL JUDGE IN THE FOLLOWING MULTIDISTRICT LITIGATION CASE:

21-1033 IN RE ASTROWORLD LITIGATION

Wherefore a Per Curiam Order dated January 26, 2022, in MDL No. 21-1033, *In Re Astroworld Litigation*, granted a Motion to Transfer cases to a multidistrict litigation (MDL) pretrial court; the Panel on Multidistrict Litigation, in accordance with Rule 13.6 of the Texas Rules of Judicial Administration, hereby designates the 11th District Court of Harris County, Texas, as the Pretrial Court and assigns the Honorable Kristen Hawkins as the Pretrial Judge.¹

IT IS THEREFORE ORDERED THAT:

1. The 11th District Court is hereby designated as the Pretrial Court, and Honorable Kristen Hawkins is hereby assigned to the serve as the Pretrial Judge.
2. The following cases are hereby transferred to the Pretrial Court:
 - a. All cases listed in Appendix A to the Joint Agreed Motion For Transfer To Pretrial Court filed December 1, 2021;
 - b. All cases listed in the First Supplement To Appendix A Of December 1, 2021 Joint Agreed Motion For Transfer To Pretrial Court And Immediate Stay, filed on December 21, 2021;
 - c. All tag-along cases. *See* TEX. R. JUD. ADMIN. 13.2 (g).
3. The “Designation of Parties To Serve Request For Transfers And Other Notices On Other Parties In Rule 13 Proceeding” (Designation) signed by the Clerk of the Judicial Panel on Multidistrict Litigation applies to proceedings before this panel and is not terminated by this order. The Designation does not limit the authority of the Pretrial Judge to designate party representatives in a Pretrial Court.

¹ “[W]e have repeatedly stated that we disfavor requests that we appoint specific judges requested by the parties.” *See, In re Farmers Ins. Co. Hurricane Harvey Litig.*, No. 18-0547, 2018 Tex. LEXIS 737, at *1 (Tex. M.D.L. Panel July 27, 2018); *In re Alcon Shareholder Litig.*, 387 S.W.3d 121, 125 (Tex. M.D.L. Panel 2010); *In re Digitek® Litig.*, 387 S.W.3d 115, 118 (Tex. M.D.L. Panel 2009) (“[W]e consider it improper for a motion to seek transfer to a certain court or county.... Such express requests are improper because Rule 13 is not meant to be a venue-changing or judge-selecting procedure.”); *In re Petroleum Wholesale Litig.*, 339 S.W.3d 405, 409 (Tex. M.D.L. Panel 2009) (we disfavor the practice of parties suggesting a particular county or a particular judge, because the procedure is not supposed to facilitate forum shopping). *See also*, Tex. R. of Jud. Admin. 13.6 (a) (The “MDL Panel may assign as judge of the pretrial court any active district judge, or any former or retired district or appellate judge who is approved by the Chief Justice of the Supreme Court of Texas.”).

CHAIR OF THE PANEL PRESIDING JUDGE DAVID L. EVANS, CHIEF JUSTICE JOSH R. MORRISS III, JUSTICE KEN WISE, JUDGE SID HARLE AND JUSTICE LEANNE JOHNSON CONCUR.

ORDER ISSUED: February 14, 2022