

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: CONVERGENT TELEPHONE CONSUMER
PROTECTION ACT (TCPA) LITIGATION**

MDL No. 2478

TRANSFER ORDER

Before the Panel:* Defendant Convergent Outsourcing, Inc. (Convergent) moves, pursuant to 28 U.S.C. § 1407(c), for transfer of the action listed on Schedule A (*Salmas*) to the District of Connecticut for inclusion in MDL No. 2478. Plaintiff Paul M. Salmas, who is proceeding *pro se*, did not respond to the motion.

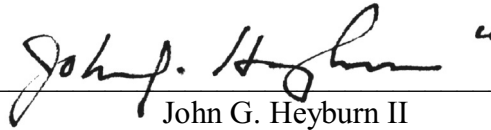
After considering all argument of counsel, we conclude that this action involves common questions of fact with the actions previously transferred to MDL No. 2478, and that transfer will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. *Salmas* presents the same factual and legal issues as do the actions pending in MDL No. 2478—namely, like those actions, plaintiff alleges that Convergent violated the federal Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227, when it, or its agents, contacted him on his cellular telephone, without his consent, using an automatic telephone dialing system or an artificial or prerecorded voice. *See In re Convergent Tel. Consumer Prot. Act Litig.*, 981 F. Supp. 2d 1385 (J.P.M.L. 2013). This action, therefore, will involve similar factual inquiries and discovery. Moreover, plaintiff, by failing to respond to Convergent’s transfer motion, is deemed to acquiesce to transfer. *See* Panel Rule 6.1(c) (“Failure to respond to a motion shall be treated as that party’s acquiescence to it.”).

* Judge Ellen Segal Huvelle took no part in the decision of this matter.

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IT IS THEREFORE ORDERED that pursuant to 28 U.S.C. § 1407, the action listed on Schedule A is transferred to the District of Connecticut and, with the consent of that court, assigned to the Honorable Alvin W. Thompson for inclusion in the coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in cursive script, reading "John G. Heyburn II", is positioned above a horizontal line.

John G. Heyburn II
Chairman

Marjorie O. Rendell
Lewis A. Kaplan
R. David Proctor

Charles R. Breyer
Sarah S. Vance

**IN RE: CONVERGENT TELEPHONE CONSUMER
PROTECTION ACT (TCPA) LITIGATION**

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SCHEDULE A

Central District of California

SALMAS v. CONVERGENT OUTSOURCING, INC., C.A. No. 8:14-00707