

UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Sexton v. Philips RS North America, LLC et al.

Sexton · No. MDL No. 3014; CTO-117; C.A. No. 26-00853 · Decided February 10, 2026

SUMMARY

This document is Conditional Transfer Order CTO-117 issued by the United States Judicial Panel on Multidistrict Litigation in In re: Philips Recalled CPAP, Bi-Level PAP, and Mechanical Ventilator Products Liability Litigation, MDL No. 3014. It conditionally transfers Sexton v. Philips RS North America, LLC et al., C.A. No. 26-00853, from the Northern District of California to the Western District of Pennsylvania for coordinated or consolidated pretrial proceedings.

CASE DETAILS

COURT	United States Judicial Panel on Multidistrict Litigation
DECIDED	February 10, 2026
DOCKET	MDL No. 3014; CTO-117; C.A. No. 26-00853
DISPOSITION	other
PROCEDURAL POSTURE	Conditional transfer order transferring the Sexton action to the United States District Court for the Western District of Pennsylvania for coordinated or consolidated pretrial proceedings in MDL No. 3014.
PRECEDENTIAL VALUE	procedural transfer order
PARTIES	Sexton v. Philips RS North America, LLC et al.

TOPICS

[civil procedure](#) [joinder](#)

PRACTICE AREAS

[civil procedure](#) [multidistrict litigation](#) [product liability](#)

QUESTIONS PRESENTED

1. Whether the Sexton action should be conditionally transferred to the Western District of Pennsylvania for coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407.
2. Whether the action should be assigned to Judge Joy Flowers Conti with the consent of the transferee court.

HOLDINGS

1. The action was conditionally transferred to the United States District Court for the Western District of Pennsylvania for coordinated or consolidated pretrial proceedings because it involved questions of fact common to actions previously transferred there.
2. The transferred action was assigned to Judge Joy Flowers Conti with the consent of the Western District of Pennsylvania.

KEY QUOTATIONS

“It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Pennsylvania and assigned to Judge Conti.”

“This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Pennsylvania.”

FACTUAL BACKGROUND

The action concerns alleged liability involving Philips recalled CPAP, Bi-Level PAP, and mechanical ventilator products. The Panel had already transferred hundreds of related actions to the Western District of Pennsylvania for coordinated or consolidated pretrial proceedings. The Panel found that the scheduled Sexton action presented questions of fact common to those previously transferred actions.

PROCEDURAL HISTORY

The Judicial Panel previously transferred actions involving Philips recalled CPAP, Bi-Level PAP, and mechanical ventilator products to the Western District of Pennsylvania under 28 U.S.C. § 1407. The Panel determined that the action listed on the CTO-117 schedule involved common questions of fact and conditionally transferred it to that district, with the consent of the transferee court, for assignment to Judge Joy Flowers Conti. The transfer was subject to a seven-day opposition period and became effective upon filing with the clerk of the Western District of Pennsylvania.

DISPOSITION

other

REMAND INSTRUCTIONS

The action is to be transferred to the Western District of Pennsylvania and assigned to Judge Joy Flowers Conti. The order does not become effective until filed with the clerk of that court; transmittal is stayed for seven days from entry, subject to continuation of the stay if a timely opposition is filed.

CASES CITED

- 568 F. Supp. 3d 1408 (J.P.M.L. 2021)

OPINION

CERTIFIED FROM THE RECORD __02/10/2026 ☐☐☐ UNITED STATES JUDICIAL PANEL 2
Brandy S:Lonchena — MULTIDISTRICT LITIGATION YW “Zh Snel ☐☐ PP Deputy Clerk” ☐
IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, SSRICT TE AND MECHANICAL
VENTILATOR PRODUCTS LIABILITY LITIGATION MDL No. 3014 (SEE ATTACHED
SCHEDULE) CONDITIONAL TRANSFER ORDER (CTO -117) On October 8, 2021, the Panel
transferred 10 civil action(s) to the United States District Court for the Western District of
Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407.

See 568 F.Supp.3d 1408 (J.P.M.L. 2021). Since that time, 343 additional action(s) have been
transferred to the Western District of Pennsylvania. With the consent of that court, all such actions
have been assigned to the Honorable Joy Flowers Conti. It appears that the action(s) on this
conditional transfer order involve questions of fact that are common to the actions previously
transferred to the Western District of Pennsylvania and assigned to Judge Conti.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict
Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the
Western District of Pennsylvania for the reasons stated in the order of October 8, 2021, and, with
the consent of that court, assigned to the Honorable Joy Flowers Conti.

This order does not become effective until it is filed in the Office of the Clerk of the United States
District Court for the Western District of Pennsylvania. The transmittal of this order to said Clerk
shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the
Clerk of the Panel within this 7-day period, the stay will be continued until further order of the
Panel.

Inasmuch as no objection is FOR THE PANEL: pending at this time, the stay is lifted. — Feb 10,
2026 peel. Q. kocabend chaten ermres MULTIDISTRICT LITIGATION Marcella R. Lockert
Acting Clerk of the Panel IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND
MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION MDL No. 3014
SCHEDULE CTO-117 – TAG-ALONG ACTIONS DIST DIV. C.A.NO.

CASE CAPTION CALIFORNIA NORTHERN CAN 3 26-00853 Sexton v. Philips RS North
America, LLC et al