

SUMMARY OF PANEL RULES – 199 F.R.D. 425 (2001)

[Revised December 1, 2009]

Responses and replies to motions or orders to show cause are to be filed and served in conformity with Rules 5.11, 5.12, 5.13, 5.2, 7.1, 7.2 and 7.3 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation. Please note the following:

Address to:

Clerk of the Panel
Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E.
Room G-255, North Lobby
Washington, DC 20002-8004

Telephone: 202/502-2800
Office Hours: 9 a.m. to 4 p.m.

FAX: 202/502-2888 (24 hours)
Website: www.jpml.uscourts.gov

No papers are to be left with or mailed to a Judge of the Panel or his/her chambers for filing.

Rule 5.12(a) identifies those documents which require an original only for filing. An original and four copies of motions, briefs, responses, etc., must be submitted for filing. Rule 5.12(d) states that papers requiring only an original may be faxed to the Panel office with prior approval. Papers requiring multiple copies will NOT be accepted via fax.

Rule 5.13 requires that whenever an original and four copies is required to be submitted for filing to the Clerk of the Panel pursuant to Rule 5.12(a), a copy of the paper must also be submitted on a computer generated disk in Adobe Acrobat (PDF) format.

Rule 5.2 requires that all papers filed with the Panel must be served on all parties in all actions involved in the litigation. If liaison counsel has been appointed by the transferee court in an existing MDL docket, this rule is satisfied by serving each party in each affected action and all liaison counsel. Recipients of a motion have fourteen (14) days (Rule 5.2(c)) to notify this office in writing of one attorney per party to receive service of future Panel pleadings filed in the litigation. A "Panel Service List" will be prepared and distributed by this office in compliance with Rule 5.2(d). A copy of this "Panel Service List" must be attached to the proof of service and supplemented in the event of the presence of additional parties or successor counsel.

Rule 5.3 requires any nongovernmental corporate party to file a Corporate Disclosure Statement within fourteen (14) days of the filing of a motion or order to show cause.

Rule 7.1 outlines the format for pleadings filed with the Panel and notes that the heading on the first page of each pleading shall commence not less than 3 inches from the top of the page. Each pleading shall bear the heading "Before the Judicial Panel on Multidistrict Litigation," the identification "MDL Docket No. ____" and the descriptive title designated by the Panel. For new litigations, movant should use an appropriate descriptive title. Papers may be fastened in the upper left corner without side binding or front or back covers. Each brief submitted for filing shall be limited to twenty pages, exclusive of exhibits. Exhibits exceeding 50 pages must be fastened separately from the accompanying pleading.

Review Rule 7.2 for identification of accompaniments to motions under 28 U.S.C. §1407. See Rule 6.2 for guidance on requesting extensions of time. Counsel are required by Rules 7.2(f) and 7.3(e) to advise the Panel of any developments in the litigation which would partially or completely moot a matter being considered by the Panel.

Rules 7.2(i), 7.3(a) and 7.5(e) require parties and counsel to notify the Panel of any potential tag-along actions in which they are involved.

← SEE OTHER SIDE FOR MORE INFORMATION →

Rule 16.1, "Hearing Sessions and Oral Argument," deals with the setting of matters for oral argument or for submission without oral argument, notices of appearance or waiver of oral argument, parties entitled to present oral argument, and time limits.

Please note in Rule 1.5 that pendency before the Panel does not affect or suspend orders and pretrial proceedings in the district court in which the action is pending and does not in any way limit the pretrial jurisdiction of that court.

Copying and certification fees are charged in accordance with Rule 5.1 and are as follows: \$.50 per page for copying, \$9.00 per document for certification, \$25.00 per diskette, and \$26 for each name/item researched. Payment for copying and certification must be made by check or money order payable to the "Judicial Panel on Multidistrict Litigation." [Effective as of November 1, 2003]

Fasten documents in top,
left-hand corner

Start document
3" from top of page

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT
LITIGATION**

In re [descriptive title used by Panel
or appropriate descriptive
title for new motion]

MDL No. _____

Identify document:

MOTION

BRIEF (limited to 20 pages -- giving
background of litigation; factual and legal
contentions of movant w/citation of
applicable authorities)

RESPONSE TO MOTION

REPLY

EXHIBITS (fastened separately if exceed 50 pages)

**ORIGINAL PLUS FOUR OF ALL PLEADINGS
EXCEPT** original only of proof of service, notice of appearance,
corporate disclosure statement, notice of opposition, notice of
related action, application for extension of time, hearing
appearance/waiver.

Schedule of Actions

[Must be attached to motions]

Include only related cases pending in
FEDERAL DISTRICTS. Necessary
information as follows:

COMPLETE name of each case, listing
full name of each party on district court's
docket sheet [Do NOT include "et als., etc."]
DISTRICT in which case is pending
DIVISION (or division number)
CASE NUMBER
Name of assigned JUDGE

DO NOT INCLUDE terminated actions or
actions pending in state courts.

Notices or letters advising of RELATED
ACTIONS or of TAG-ALONG ACTIONS must
include this information. **One courtesy copy of
each complaint and docket sheet would be
helpful.**

MOTIONS FILED WITH THE PANEL:

When a motion is filed, the Panel will send
a notice to all recipients of the motion as
notification of the filing date, MDL docket
number and caption, briefing schedule and
pertinent Panel policies.

CALENDAR – CALENDAR – CALENDAR

Appearances: 14 days after filing of original motion
Corporate Disclosure Statement: 14 days after filing
of motion

Responses to motion: 21 days

Reply to Responses (by movant): 7 days

Oppositions to Conditional Transfer Order (CTO)
or Conditional Remand Order (CRO): 14 days

Motions to Vacate CTO or CRO:
14 days (after opposition is filed)