

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE: LUMBER LIQUIDATORS)
CHINESE-MANUFACTURED FLOORING)
PRODUCTS MARKETING, SALES) MDL No. 1:15md2627 (AJT/TRJ)
PRACTICES AND PRODUCTS LIABILITY)
LITIGATION)
_____)

This Document Relates to ALL Cases

PRETRIAL ORDER #1B

This order deals in more detail with electronic filing of documents with the Clerk ("ECF") by plaintiffs' attorneys who are not members of the bar of this Court (hereafter "foreign attorneys") and have not associated local counsel. (The Court presently expects that all defendants represented by foreign attorneys will also be represented by counsel who are members of the bar of this Court.)

1. Foreign attorneys who have associated local counsel will not be issued an ECF login and password. Their local counsel shall file all documents as in other cases.
2. Where a law firm represents plaintiffs in more than one case, the same login and password must be used in all such cases.
3. Subject to paragraph 2 above, in each member and tag-along case where one or more foreign attorneys represents plaintiff(s) without local counsel, one and only one foreign attorney shall register for ECF no matter how many attorneys have entered appearances. The Clerk will issue only one ECF login and password for use in filings made in that case.
4. Lead counsel in each case or group of cases is responsible for (a) determining in whose name the login and password will be issued, and (b) the consequences of all use and any

misuse of that login and password.

5. The login and password will not be issued until the attorney registering for it has completed the requirements for ECF registration found at <http://www.vaed.uscourts.gov/ecf/E-Filing%20Registration.html>. They include (a) passing an online quiz with a score of 92% or higher, (b) completing an ECF certification form attached hereto as Schedule A, and (c) completing an online registration form. The attached certification form is a distinct form prepared for this MDL litigation, and foreign attorneys must use it.

6. Foreign attorneys receiving an ECF login and password may use them only for this litigation. They will be deactivated at the end of a foreign attorney's involvement in this litigation.

7. All electronic filings shall be made in accordance with the amended filing procedures attached to Pretrial Order No. 1A [Doc. No. 13] which are also attached to this Order as Schedule B for convenience (and reemphasis).

8. Foreign attorneys who find it necessary to file a document with the Clerk before completing ECF registration may do so in paper form, with a copy to chambers. The Clerk will file the paper document electronically and the email Notice of Electronic Filing generated thereby shall constitute service on all parties for all purposes under the Federal and Local Rules of Civil Procedure.

It is so ORDERED.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
July 21, 2015

Schedule A

ECF Certification Form

MDL 2627 In Re: Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices, and Products Liability Litigation (1:15md2627)

MEMBER CASE: 1:15cv_____

*Complete this form in its entirety, attach a photocopy of a government-issued photo id, and mail or deliver both documents in an envelope addressed as follows: **ECF Certification, U.S. District Court, EDVA, Clerk's Office, 401 Courthouse Square, Alexandria, VA 22314-5798.** Then, if you haven't already done so, register to e-file online by going to www.vaed.uscourts.gov.*

This notice informs all attorneys and their staffs who do business with the United States District Court for the Eastern District of Virginia (EDVA) that improper registration to e-file with us is a serious matter that may have serious consequences. Falsely certifying and/or registering to e-file with the EDVA constitutes making false statements to the Court, which is a grave offense. Such actions may lead to disbarment and a referral to the Virginia State Bar. The Court will act on any known instance of false certification and/or registration for e-filing in the CM/ECF system.

[First Name] [Middle Name] [Last Name]

Phone Number: _____ E-mail Address _____

You may not register to e-file with the EDVA until you have completed the mandatory training requirement by passing the online EDVA ECF policies and procedures quiz with a score of 92% or higher.

You must check in all of the boxes below.

As an officer of the Court, I certify the following:

- No other attorney representing this plaintiff in this case has already received an ECF login and password in the Eastern District of Virginia.
- I passed the EDVA online ECF policies and procedures quiz.
- A photocopy of government-issued photo identification accompanies this form. (We are collecting this photocopy as proof of the identity of the signer of this form. The photocopies will be secured and not made available to the public in any way.)
- I agree to abide by all Court rules, orders, and policies and procedures governing the use of the electronic filing system. I also consent to receiving notice of filings pursuant to Federal Rules of Civil Procedure and Federal Rules of Criminal Procedure via the Court's electronic filing system.

[Your signature]

[Date]

**IN RE: LUMBER LIQUIDATORS CHINESE-MANUFACTURED
FLOORING PRODUCTS MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY LITIGATION**

MDL No. 2627

SCHEDULE B

Introduction	This document contains instructions for filing documents in MDL 2627 Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices and Products Liability Litigation.
Effective Date	July 8, 2015
Lead Case	The lead case number is 1:15md2627 AJT/TRJ. All filing is to be done in the lead case.
Member Cases	<p>During the filing of a document in the lead case, answer <i>yes</i> to the question <i>Do you want to spread text?</i> All the member cases will appear in a list for selection to spread the text to the member cases selected. Only select the member case(s) to which the filing applies.</p> <p>A docket entry will be entered and the document uploaded to the lead case and to each member case selected.</p>

Continued on next page

MDL 2627 Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices and Products Liability Litigation, Continued

Filing Events To file in this MDL case, use only those filing events found in the category *MDL Cases Only*. Only these filing events will allow the filer to spread the docket entry text and document to member cases.

Note: Do not use the (*Clerk's Office Use Only*) filing events for the MDL 2627 case.

Exceptions:

- **Notices of Appearance:** These documents must be electronically filed separately, using the *Notice of Appearance* event, in every case to which it belongs. The spread text feature does not work on this entry and in order to be listed on the member case docket sheets, you must file in the individual member cases.
- **Pro Hac Vice Motions:** These documents must be electronically filed in the lead case only. The MDL case manager will add the pro hac vice counsel to the docket sheet upon signature of the Judge. On the application, please specify as to what member cases the pro hac vice attorney should be added.
- **Notices of Appeal:** Notices of Appeal must be electronically filed using the event notice of appeal, filed only in the member case that is being appealed. These documents are **not** docketed in the lead case. A Notice of Appeal must be filed in the individual member cases and the appeal fee paid.

Continued on next page

MDL 2534 TLI Communications LLC Patent Litigation, Continued

**Steps for
Spreading a
Docket Entry**

Take the following steps to file in the lead case and spread the docket entry and document to member cases:

Step	Action
1	Log in to the Eastern District of Virginia E-Filing System.
2	Select <i>Civil</i> from the main blue menu.
3	Select <i>MDL Cases Only</i> category.
4	Select the filing event that best describes your document and then click the <i>Next</i> button.
5	Enter the lead case number 1:15md2627 and then click the following two <i>Next</i> buttons.
6	Select <i>yes</i> to the question <i>Do you want to spread this docket text?</i> and then click the <i>Next</i> button.

MDL Events Only
1:15-md-02627-AJT-TRJR In Re:
Lumber Liquidators Chinese-
Manufactured Flooring Products
Marketing, Sales Practices and
Products Liability Litigation

LEAD

Do you want to spread this docket entry? Yes No

Continued on next page

MDL 2627 Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices and Products Liability Litigation, Continued

Steps for Spreading a Docket Entry
(continued)

Step	Action						
7	<p>Select the cases to which the docket entry should be spread by clicking on each one (if selecting more than one, be sure to hold the control button as you click on the case) and then click the <i>Next</i> button. Use the scroll bar if necessary.</p> <div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0;"> <p>MDL Events Only <u>1:15-md-02627-AJT-TRJR In Re Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices and Products Liability Litigation</u></p> <p>LEAD</p> <p><i>Select associated case to which text should be spread.</i></p> <div style="border: 1px solid black; padding: 2px;"> <p style="text-align: center;">*** ALL ***</p> <p>1:15-cv-02628-AJT-TRJR Caiola v. Lumber Liquidators [Multi-district Litigation] ^</p> <p>1:15-cv-02629-AJT-TRJR Marmonti v. Lumber Liquidators [Multi-district Litigation]</p> <p>1:15-cv-02630-AJT-TRJR CONSTATINE v. LUMBER LIQUIDATORS INC et al [Multi-district Litigation] v</p> <p>1:15-cv-02631-AJT-TRJR Badias v. Lumber Liquidators [Multi-district Litigation]</p> </div> <p style="text-align: center;">Next Clear</p> </div>						
8	Upload the document and then click the <i>Next</i> button.						
9	Select the filer of the document and click the <i>Next</i> button.						
10	Review entry, add text if necessary, and then click the <i>Next</i> button.						
11	<p>Review the entry:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left;">If the entry is ...</th> <th style="width: 50%; text-align: left;">Then ...</th> </tr> </thead> <tbody> <tr> <td>Correct</td> <td>Click the <i>Next</i> button to commit the transaction.</td> </tr> <tr> <td>Incorrect</td> <td>Abort the transaction by starting over.</td> </tr> </tbody> </table> <p><i>Note:</i> Wait for the <i>NEF</i> confirmation page before navigating away from the screen.</p>	If the entry is ...	Then ...	Correct	Click the <i>Next</i> button to commit the transaction.	Incorrect	Abort the transaction by starting over.
If the entry is ...	Then ...						
Correct	Click the <i>Next</i> button to commit the transaction.						
Incorrect	Abort the transaction by starting over.						