

1:19-md-2915 Website FAQs

Question: I have been served with a complaint in a member action. When is my answer due?

Answer: Pursuant to Pretrial Order #1, each defendant has been granted an extension of time to answer or otherwise respond to the complaint(s) until a date that the Court plans to set during a forthcoming hearing.

Question: How do I register for electronic filing via CM/ECF for the Eastern District of Virginia?

Answer: At this time, attorneys not admitted to practice in the Eastern District of Virginia cannot file electronically. Any pleadings required to be filed pursuant to Pretrial Order #1 by attorneys not admitted to practice in this district must be filed in paper form with the Clerk's Office. The address for the Clerk's Office is 401 Courthouse Square, Alexandria, VA 22314. Please review Pretrial Order #1 for requirements on copies necessary.

Question: If I am not licensed to practice law in the Eastern District of Virginia, do I need local counsel and *pro hac vice* admission to the Eastern District of Virginia?

Answer: Pursuant to Pretrial Order #1, attorneys not admitted to practice in this district must submit the "Application to Qualify as a Foreign Attorney Under Local Civil Rule 83.1 (D) and Local Criminal Rule 57.4." The local counsel and filing fee for *pro hac vice* admission is waived for this case. Attorneys not admitted to practice in this court must file this document with the Clerk's Office. The address for the Clerk's Office is 401 Courthouse Square, Alexandria, VA 22314. No chambers copy is required for this document. The form is found at: http://www.vaed.uscourts.gov/formsandfees/documents/Pro_Hac_Vice_Application2.pdf

Question: How do I file a document once my case has been consolidated with the MDL?

Answer: Attorneys admitted to practice in this district must file documents electronically using the docketing events found under "MDL Cases Only." There are some exceptions to this rule. Filers should consult Pretrial Order #1 and Schedule C thereto for specific details. Attorneys not admitted in this district must file all documents in paper format with the Clerk's Office. The address for the Clerk's Office is 401 Courthouse Square, Alexandria, VA 22314.

Question: How do I find a document for a case that has been consolidated with the MDL?

Answer: All of the documents filed in this MDL action will be filed in the “lead case” (1:19md22915). The most accurate way to get up to date information on this MDL is to sign on to PACER and query this case. This website also has an update section, but will not be updated as frequently as PACER.

Question: I would like a copy of a transcript from a proceeding in this MDL case. Whom do I contact for a copy?

Answer: Transcripts that are filed in this matter will be added to the lead case (1:19md2915). After 90 days, the transcript will be released and you can obtain a copy through PACER at the standard rate of 10 cents per page. If you would like to obtain a copy of the transcript prior to the 90 day release, you must contact the court reporter directly to request a copy. The transcript fee schedule can be found at: http://www.vaed.uscourts.gov/courtdocs/TransFees_20110419.pdf

Question: What is multidistrict litigation?

Answer: Multidistrict litigation is litigation pending in more than one federal district court involving common questions of fact. When such cases involve civil actions, they may be transferred by the Judicial Panel on Multidistrict Litigation (JPML) to any federal court for coordinated and consolidated pretrial proceedings to ensure just and efficient conduct of the cases.

Question: What is the Judicial Panel on Multidistrict Litigation (JPML)?

Answer: The JPML is a group of seven federal judges designated by the Chief Justice of the U.S. Supreme Court. The JPML has the responsibility for determining which cases qualify for multidistrict litigation treatment, as well as which district court to transfer and consolidate these cases. The transfers are made pursuant to 28 U.S.C. § 1407, upon the JPML’s determination that the transfers will result in the convenience of the parties and witnesses and will promote the just and efficient conduct of the cases.

Question: How are the cases to be transferred brought before the Judicial Panel on Multidistrict Litigation (JPML)?

Answer: Proceedings for transfer may be initiated by the JPML upon its own initiative or a motion filed with the JPML by a party in any action in which transfer for coordinated or

consolidated pretrial proceedings may be appropriate. Before cases are designated as a multidistrict litigation and transferred to one federal court, the JPML convenes a hearing and notifies all parties of the place and time of the hearing. The JPML's order of transfer is based on a record of such hearing at which material evidence may be offered by any party to an action in any federal court that would be affected by the transfer.

Question: If my case is subject to a transfer order, but the case has not been transferred yet to the Eastern District of Virginia, where should I file documents?

Answer: Transfers under 28 U.S.C. § 1407 become effective with the filing of the Judicial Panel on Multidistrict Litigation's transfer order in the clerk's office of the designated transferee court. Thus, if the transfer order to which your case is subject has been filed in the Eastern District of Virginia, you must make all future filings in the Eastern District of Virginia.

Question: How can I be kept advised of the developments of this case?

Answer: Case developments will be updated regularly on this website. The most up to date information will be placed on the docket sheet of the lead case (1:19md2915), so for the most up-to-date information, you may check the docket sheet through PACER. Unregistered users may sign up for PACER at: <https://www.pacer.gov/>. (Some fees apply for use of PACER.)

Question: What procedural rules govern this litigation?

Answer: The Federal Rules of Civil Procedure and Local Rules of Civil Procedure for the Eastern District of Virginia, to the extent they may be modified by Pretrial Order #1 or other orders, govern this litigation.

<http://www.vaed.uscourts.gov/localrules/index.html>