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United States Judicial Panel
on
Multidistrict Litigation

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An Introduction to the United States Judicial Panel on Multidistrict Litigation

Origin and Purposes

The United States Judicial Panel on Multidistrict Litigation, known informally as the MDL Panel, was created by an Act of Congress in 1968 – 28 U.S.C. §1407. The job of the Panel is to 1) determine whether civil actions pending in different federal districts involve one or more common questions of fact such that the actions should be transferred to one federal district for coordinated or consolidated pretrial proceedings; and 2) select the judge or judges and court assigned to conduct such proceedings. The purposes of this transfer or "centralization" process are to avoid duplication of discovery, to prevent inconsistent pretrial rulings, and to conserve the resources of the parties, their counsel and the judiciary. Transferred actions not terminated in the transferee district are remanded to their originating transferor districts by the Panel at or before the conclusion of centralized pretrial proceedings.

Historical Summary

Since its inception, the Panel has considered motions for centralization in more 2,400 dockets involving more than 415,000 cases and millions of claims therein. These dockets encompass litigation categories as diverse as airplane crashes, other single accidents such as train wrecks or hotel fires; mass torts, such as those involving asbestos, drugs and other products liability cases; patent validity and infringement; antitrust price fixing; securities fraud; and employment practices. Statistical and other information can be found on the Panel's web site: www.jpml.uscourts.gov

Membership of the MDL Panel

The MDL Panel consists of seven sitting federal judges, who are appointed to serve on the Panel by the Chief Justice of the United States. The multidistrict litigation statute provides that no two Panel members may be from the same federal judicial circuit. The current Chairman of the Panel is Chief Judge John G. Heyburn II, who sits in the Western District of Kentucky. The remaining Panel members, in order of seniority on the Panel are Paul J. Barbadoro (D. New Hampshire), Marjorie O. Rendell (C.A. Third Circuit), Charles R. Breyer (N.D. California), Lewis A. Kaplan (S.D. New York), Sarah S. Vance (E.D. Louisiana), and Ellen Segal Huvelle (D. District of Columbia).