

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1968

# JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Chief Judge Alfred P. Murrah, Chairman of the Judicial Panel on Multidistrict Litigation, reported on the initial activities of the Panel subsequent to its appointment by the Chief Justice on

May 29, 1968. Judge Murrah pointed out to the Conference that the Panel was created by the enactment of Public Law 90-296, signed by the President April 29, 1968. The law created a new Section 1407 of Title 28, United States Code, providing for the transfer of certain multidistrict litigation for pretrial purposes only. The legislation was enacted partly as a result of the sponsorship and endorsement of the Judicial Conference of the United States. Judge Murrah said that the other members of the Panel are Judge John Minor Wisdom of the Court of Appeals for the Fifth Circuit, Chief Judge William H. Becker of the Western District of Missouri, Judge Joseph S. Lord, III, of the Eastern District of Pennsylvania, Judge Edwin A. Robson of the Northern District of Illinois, Judge Stanley A. Weigel of the Northern District of California and Judge Edward Weinfeld of the Southern District of New York.

Judge Murrah stated that the Panel held its organizational meeting on June 26, at which time it adopted provisional rules of procedure and began operations. The first hearings of the Panel were scheduled to take place on August 8, 1968.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1969

## JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Chief Judge Alfred P. Murrah, Chairman of the Judicial Panel on Multidistrict Litigation, reported on the activities of the Panel since its organization in the summer of 1968.

Judge Murrah stated that since its organization the Panel has formally considered, either on motion of a party or its own initiative, 16 groups of cases which, collectively, include more than 600 cases in 44 different Federal district courts. The Panel has determined that transfer under Section 1407 was appropriate in nine of these 16 groups of cases and 202 cases have been transferred to seven different federal district courts for coordinated or consolidated pretrial proceedings. Judge Murrah stated that the Panel's docket has been dominated by multiple (airline crashes) and treble damage antitrust litigation. These account for 14 of the 16 groups of matters considered by the Panel. Other multidistrict litigation considered thus far have involved patent infringement actions and a group of cases requesting infringement relief against the Postmaster General with regard to certain fourth class bulk mailing regulations. The Panel has thus far made the final determination in 10 of the 16 groups of cases and in only one has the motion to transfer been denied.

Judge Murrah stated that because of the volume of multidistrict litigation, the Panel has been meeting once each month, generally on the fourth Friday of the month. The staff of the Panel maintains a complete docket system and extensive files for all matters before the Panel.

## TRANSFER OF CASES UNDER 28 U.S.C. 1407

During the year ending July 7, 1969 the Judicial Panel on Multidistrict Litigation transferred 367 civil actions from one district to another for purposes of consolidated pretrial procedure in accordance with the act approved April 29, 1968 (Public Law 90-296) which provides in part as follows:

When civil actions involving one or more common questions of fact are pending in different districts, such actions may be transferred to any district for coordinated or consolidated pretrial proceedings. Such transfers shall be made by the judicial panel on multidistrict litigation. \* \* \* Each action so transferred shall be remanded by the panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred. \* \* \*

The 367 cases transferred by the panel during its first year of operation were originally filed in 48 separate district courts. They were consolidated in only nine districts, although several districts received more than one group of cases. The schedule of districts receiving cases by transfer order of the Panel is as follows:

District	Types of cases transferred	Number transferred
Pennsylvania, Eastern....	Plumbing fixture antitrust and concrete pipe (east of the Rockies) antitrust.....	121
New York, Southern....	Protection device antitrust and antibiotic drug antitrust.....	89
Kentucky, Eastern.....	Cincinnati Airport air disaster.....	53
Illinois, Northern.....	Children's books antitrust.....	40
Kansas.....	Grain shipment litigation.....	26
California, Northern....	Gypsum wallboard antitrust, Hong Kong air disaster and Koratron litigation.	26
New Jersey.....	Postage rate litigation.....	10
Oklahoma, Eastern....	Ardmore air disaster.....	7
North Carolina, Western.	Hendersonville air disaster.....	2

The following table shows the flow of cases from one district to another under orders issued by the Panel. Altogether these transfers affected 50 districts.

*Cases transferred from one district to another during the year ending July 7, 1969, by order of the Judicial Panel on Multidistrict Litigation*

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Total.....	367	367	-----
District of Columbia.....		3	-3
First Circuit.....		15	-15
Massachusetts.....		13	-13
Puerto Rico.....		2	-2
Second Circuit.....	89	30	+59
Connecticut.....		1	-1
New York:			
Eastern.....		7	-7
Southern.....	89	20	+69
Western.....		2	-2

*Cases transferred from one district to another during the year ending July 7, 1969,  
by order of the Judicial Panel on Multidistrict Litigation—Continued*

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Third circuit.....	131	40	+91
New Jersey.....	10	2	+8
Pennsylvania:			
Eastern.....	121	21	+100
Middle.....		3	-3
Western.....		14	-14
Fourth Circuit.....	2	20	-18
Maryland.....		11	-11
North Carolina:			
Eastern.....		1	-1
Western.....	2		+2
South Carolina.....		1	-1
Virginia:			
Eastern.....		7	-7
Fifth Circuit.....		12	-12
Alabama:			
Northern.....		1	-1
Middle.....		1	-1
Florida:			
Southern.....		3	-3
Georgia:			
Northern.....		1	-1
Louisiana:			
Eastern.....		1	-1
Texas:			
Northern.....		5	-5
Sixth Circuit.....	53	21	+32
Kentucky:			
Eastern.....	53	3	+50
Western.....		1	-1
Michigan:			
Eastern.....		1	-1
Ohio:			
Southern.....		14	-14
Tennessee:			
Eastern.....		2	-2

*Cases transferred from one district to another during the year ending July 7, 1939  
by order of the Judicial Panel on Multidistrict Litigation—Continued*

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Seventh Circuit.....	40	86	-46
Illinois:			
Northern.....	40	81	-41
Wisconsin:			
Eastern.....		1	-1
Western.....		4	-4
Eighth Circuit.....		34	-34
Arkansas:			
Eastern.....		1	-1
Iowa:			
Southern.....		4	-4
Minnesota.....		17	-17
Missouri:			
Eastern.....		2	-2
Western.....		7	-7
Nebraska.....		2	-2
South Dakota.....		1	-1
Ninth Circuit.....	19	98	-79
Alaska.....		1	-1
Arizona.....		4	-4
California:			
Northern.....	19	70	-51
Eastern.....		1	-1
Central.....		13	-13
Southern.....		1	-1
Hawaii.....		1	-1
Montana.....		1	-1
Oregon.....		1	-1
Washington:			
Western.....		5	-5
Tenth Circuit.....	33	8	+25
Colorado.....		3	-3
Kansas.....	26	5	+21
Oklahoma:			
Eastern.....	7		+7

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1970

## JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Chief Judge Alfred P. Murrah, Chairman of the Judicial Panel on Multidistrict Litigation, reported on the transfer of cases by the panel during the period July 1 through December 31, 1969.

Judge Murrah stated that during this period the Panel transferred 173 civil actions from one district to another for coordinated or consolidated pretrial proceedings, bringing to 540 the total number of transfers made by the Panel since the enactment of the new law, 28 U.S.C. 1407. The 173 cases transferred include 135 so-called tag-along cases filed after the original transfers made by the Panel. The other 38 cases involve seven new groups of multidistrict litigation.

The Conference discussed various problems that have arisen in regard to the filing of class actions pursuant to Rule 23, Federal Rules of Civil Procedure. It was recommended that a study be made of class actions, particularly in regard to the amount of lawyers' fees and the improper solicitation of cases. In this regard, the attention of the Conference was directed to a new local rule of court adopted in the United States District Court for the Northern District of Texas relating to class actions.

## TRANSFER OF CASES UNDER 28 U.S.C. 1407

During the year ended June 30, 1970, the Judicial Panel on Multidistrict Litigation transferred 501 civil actions from one district to another for purposes of consolidated pretrial procedure. This was 134 more cases than were transferred in the first year. The Multidistrict Litigation Act, approved April 29, 1968 (P.L. 90-296), provides that "where civil actions involving one or more common questions of fact are pending in different districts such actions may be transferred to any district for coordinated or consolidated pretrial proceedings. Such transfers shall be made by the Judicial Panel on Multidistrict Litigation. . . each action so transferred shall be remanded by the panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred. . ."

During this second year of operation, the 501 cases transferred by the Multidistrict Litigation Panel were originally filed in 64 separate district courts. These 501 civil filings were consolidated in only 14 districts, with four districts receiving more than one group of cases. By comparison, in fiscal year 1969, 367 cases were transferred from 48 separate districts into nine districts. Those

districts which received cases by transfer order of the panel in fiscal year 1970 are as follows:

TABLE 28.—*Number and types of cases transferred during fiscal year 1970 by order of the Judicial Panel on Multidistrict Litigation*

Transferee district	Types of cases transferred	Number transferred
Total.....		501
Massachusetts.....	Revenue Properties Co. Ltd., securities actions.....	17
New Hampshire.....	Hanover air disaster.....	15
New York, Southern.....	Antibiotic drug antitrust; Seeburg-Commonwealth United merger litigation.....	43
Pennsylvania, Eastern.....	Plumbing fixtures antitrust (east of the Rockies).....	181
Maryland.....	Kaehni jewelry patent.....	5
West Virginia, Southern.....	Silver Bridge disaster.....	26
Texas, Southern.....	Westec Corp. litigation.....	4
Ohio, Southern.....	Dayton air disaster.....	5
Illinois, Northern.....	Admission tickets litigation; Butterfield patent infringement.....	110
Indiana, Southern.....	Fairland midair disaster.....	37
Minnesota.....	IBM antitrust.....	3
California, Northern.....	Gypsum Wallboard antitrust; Koratron litigation; water meter antitrust litigation; Western liquid asphalt antitrust.....	30
California, Central.....	Concrete pipe (west of the Rockies) antitrust; motor vehicle air pollution control equipment antitrust; Santa Monica Bay air disaster.....	16
Kansas.....	Grain shipment litigation.....	9

The table which follows shows the cases transferred from one district to another by order of the panel during last year. Altogether 65 of the 93 districts were affected by these transfers. This can be compared to 50 districts affected in 1969.

TABLE 29.—*Cases transferred from one district to another during fiscal year ended June 30, 1970, by order of the Judicial Panel on Multidistrict Litigation*

Circuit and District	Number of cases		Increase or Decrease
	Received	Transferred	
Total.....	501	501	
District of Columbia.....		15	-15
First Circuit.....	32	9	+23
Massachusetts.....	17	8	+9
New Hampshire.....	15		+15
Puerto Rico.....		1	-1

TABLE 29.—Cases transferred from one district to another during fiscal year ended June 30, 1970, by order of the Judicial Panel on Multidistrict Litigation—Continued

Circuit and District	Number of cases		Increase or Decrease
	Received	Transferred	
Second Circuit.....	43	154	-111
Connecticut.....		2	-2
New York:			
Northern.....		3	-3
Eastern.....		8	-8
Southern.....	43	129	-86
Western.....		2	-2
Vermont.....		10	-10
Third Circuit.....	181	22	+159
Delaware.....		1	-1
New Jersey.....		4	-4
Pennsylvania:			
Eastern.....	181	13	+168
Middle.....		1	-1
Western.....		3	-3
Fourth Circuit.....	31	15	+16
Maryland.....	5	6	-1
North Carolina:			
Eastern.....		1	-1
Middle.....		1	-1
Virginia, Eastern.....		6	-6
West Virginia, Southern.....	26	1	+25
Fifth Circuit.....	4	41	-37
Alabama:			
Northern.....		7	-7
Middle.....		1	-1
Southern.....		3	-3
Florida:			
Northern.....			
Middle.....		1	-1
Southern.....		2	-2
Georgia:			
Northern.....		4	-4
Southern.....		1	-1
Louisiana:			
Eastern.....		5	-5
Western.....		1	-1

TABLE 29.—Cases transferred from one district to another during fiscal year ended June 30, 1970, by order of the Judicial Panel on Multidistrict Litigation—Continued

Circuit and District	Number of cases		Increase or Decrease
	Received	Transferred	
<b>Texas:</b>			
Northern.....		10	-10
Southern.....	4	2	+2
Western.....		4	-4
<b>Sixth Circuit.....</b>	<b>5</b>	<b>80</b>	<b>-75</b>
<b>Kentucky:</b>			
Eastern.....		2	-2
Western.....		2	-2
<b>Michigan:</b>			
Eastern.....		10	-10
Western.....		1	-1
<b>Ohio:</b>			
Northern.....		9	-9
Southern.....	5	49	-44
<b>Tennessee:</b>			
Eastern.....		2	-2
Middle.....		3	-3
Western.....		2	-2
<b>Seventh Circuit.....</b>	<b>147</b>	<b>73</b>	<b>+74</b>
<b>Illinois, Northern.....</b>	<b>110</b>	<b>62</b>	<b>+48</b>
<b>Indiana:</b>			
Northern.....		1	-1
Southern.....	37	4	+33
<b>Wisconsin:</b>			
Eastern.....		5	-5
Western.....		1	-1
<b>Eighth Circuit.....</b>	<b>3</b>	<b>28</b>	<b>-25</b>
<b>Arkansas:</b>			
Eastern.....		2	-2
Western.....		1	-1
<b>Iowa, Southern.....</b>		<b>1</b>	<b>-1</b>
<b>Minnesota.....</b>	<b>3</b>	<b>4</b>	<b>-1</b>
<b>Missouri:</b>			
Eastern.....		4	-4
Western.....		8	-8
<b>Nebraska.....</b>		<b>8</b>	<b>-8</b>

TABLE 29.—Cases transferred from one district to another during fiscal year ended June 30, 1970, by order of the Judicial Panel on Multidistrict Litigation—Concluded

Circuit and District	Number of cases		Increase or Decrease
	Received	Transferred	
Ninth Circuit.....	46	53	-7
Alaska.....		1	-1
Arizona.....		8	-8
California:			
Northern.....	30	13	+17
Central.....	16	16	
Southern.....		3	-3
Nevada.....		1	-1
Oregon.....		1	-1
Washington, Western.....		10	-10
Tenth Circuit.....	9	11	-2
Colorado.....		1	-1
Kansas.....	9	5	+4
Oklahoma:			
Northern.....		1	-1
Western.....		3	-3
Utah.....		1	-1

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1971

*Transfer of cases under 28 U.S.C. 1407*

Now in its third year of operation, the Judicial Panel on Multidistrict Litigation transferred 305 civil actions from one district to another during fiscal year 1971. These 305 cases had been originally filed in 53 separate district courts. The panel switched all of these cases into 19 districts. The purpose of these transfers was to consolidate pretrial procedure. The Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), provides that "where civil actions involving one or more common questions of fact are pending in different districts such actions may be transferred to any district for coordinated or consolidated pretrial proceedings. Such transfers shall be made by the Judicial Panel on Multidistrict Litigation \* \* \* Each action so transferred shall be remanded by the panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred \* \* \*"

For the first time in this annual statistical report, cases transferred as multidistrict litigation are being recorded statistically as new filings in the courts which receive them. Thus, at the beginning of fiscal year 1971 where multidistrict litigation cases were still pending, these were recorded as filings. There were 409 cases in this group. To this pending group we added the 305 case transfers recorded during the year.

To a great extent, the increase in antitrust cases recorded this year was due to the inclusion of 442 cases—192 previously transferred and 230 new transfers during the year. A similar type of duplicate count will be given to 80 previously transferred copyright, patent, and trademark cases, to 57 airplane disaster cases, and to 49 security, commodities and exchange cases.

In accompanying pages are three sets of data concerning the multidistrict litigation cases. As experience with multidistrict litigation transfers continues, additional tables will be supplied to measure their effect upon workload in the courts.

TABLE 43.—Number and types of cases transferred during fiscal year 1971 by order of the Judicial Panel on Multidistrict Litigation

District	Types of cases transferred	Number transferred
California, Northern	Gypsum Wallboard Antitrust; Koratron Patent and Antitrust.	12
California, Central	Air Pollution Antitrust; Santa Monica Air Disaster; Embro Patent.	25
Connecticut	Master Key Antitrust	8
Delaware	Frost Patent	2
District of Columbia	Ampicillin Antitrust; Alisco-Harvard Fraud.	22
Florida, Southern	Maracaibo, Venezuela Air Disaster	4
Illinois, Northern	Air Fare; Government Auto Fleet Sales Antitrust.	17
Indiana, Southern	Fairland, Ind. Air Disaster	13
Kansas	Grain Shipments	14
Massachusetts	Revenue Properties Securities; CBS Color Tube Patent.	2
Minnesota	IBM Antitrust	3
Michigan, Eastern	Willingham Patent	1
New Hampshire	Hanover, N.H. Air Disaster	8
New York, Northern	Welch and Morgan Fee Litigation	2
New York, Southern	Antibiotic Drug Antitrust; Seeburg-Commonwealth United Securities; Penn Central Commercial Paper; Carrom Trademark; Brown Co. Securities.	24
Ohio, Southern	Dayton, Ohio Air Disaster	1
Oklahoma, Western	Four Seasons Securities	9
Pennsylvania, Eastern	Plumbing Fixture Antitrust; Penn Central Securities; CBS Licensing Antitrust.	119
Puerto Rico	Puerto Rico Air Disaster	19
Total		305

TABLE 44.—Cases transferred from one district to another during fiscal year ended June 30, 1971 by order of the Judicial Panel on Multidistrict Litigation

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Total.....	305	305	-----
District of Columbia.....	22	2	20
FIRST CIRCUIT.....	29	6	23
Massachusetts.....	2	5	-3
New Hampshire.....	8		8
Rhode Island.....		1	-1
Puerto Rico.....	19		19
SECOND CIRCUIT.....	34	76	-42
Connecticut.....	8	3	5
New York:			
Northern.....	2	1	1
Eastern.....		2	-2
Southern.....	24	64	-40
Vermont.....		6	-6
THIRD CIRCUIT.....	121	32	89
Delaware.....	2	1	1
New Jersey.....		5	-5
Pennsylvania:			
Eastern.....	119	9	110
Middle.....		16	-16
Western.....		1	-1
FOURTH CIRCUIT.....		20	-20
Maryland.....		5	-5
North Carolina:			
Eastern.....		3	-3
Middle.....		1	-1
South Carolina.....		5	-5
Virginia:			
Eastern.....		5	-5
Western.....		1	-1

TABLE 44.—Cases transferred from one district to another during fiscal year ended June 30, 1971 by order of the Judicial Panel on Multidistrict Litigation—Con.

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
FIFTH CIRCUIT.....	4	20	-16
Alabama:			
Middle.....		1	-1
Florida:			
Northern.....		3	-3
Middle.....		1	-1
Southern.....	4	2	2
Louisiana:			
Eastern.....		2	-2
Mississippi:			
Southern.....		1	-1
Texas:			
Northern.....		4	-4
Southern.....		5	-5
Western.....		1	-1
SIXTH CIRCUIT.....	2	18	-16
Kentucky:			
Eastern.....		2	-2
Michigan:			
Eastern.....	1	3	-2
Western.....		1	-1
Ohio:			
Northern.....		3	-3
Southern.....	1	8	-7
Tennessee:			
Western.....		1	-1
SEVENTH CIRCUIT.....	30	26	4
Illinois:			
Northern.....	17	23	-6
Indiana:			
Southern.....	13		13
Wisconsin:			
Eastern.....		2	-2
Western.....		1	-1

TABLE 44.—Cases transferred from one district to another during fiscal year ended June 30, 1971 by order of the Judicial Panel on Multidistrict Litigation—Con.

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
EIGHTH CIRCUIT.....	3	19	-16
Arkansas:			
Eastern.....		1	-1
Iowa:			
Southern.....		1	-1
Minnesota.....	3	3	
Missouri:			
Eastern.....		11	-11
Western.....		1	-1
Nebraska.....		1	-1
South Dakota.....		1	-1
NINTH CIRCUIT.....	37	81	-44
Arizona.....		2	-2
California:			
Northern.....	12	62	-50
Central.....	25	12	13
Southern.....		2	-2
Nevada.....		1	-1
Oregon.....		1	-1
Washington:			
Western.....		1	-1
TENTH CIRCUIT.....	23	5	18
Kansas.....	14	4	10
Oklahoma:			
Western.....	9	1	8

TABLE 45.—Civil cases recorded as filings in districts receiving multidistrict litigation cases, by nature of suit, fiscal year 1971

District	Total	Tort—personal injury		Anti-trust	Copyright, Patent Trade-mark	Securities, Commodities, and Exchanges	Other
		Airplane	Other				
Total.....	714	57	26	442	30	49	60
District of Columbia.....	4			4			
Massachusetts.....	1				1		
New Hampshire.....	19	17					2
Puerto Rico.....	19	19					
Connecticut.....	8			8			
New York:							
Northern.....	1			1			
Southern.....	9			6	4		
Pennsylvania:							
Eastern.....	420			382		38	
North Carolina:							
Western.....	2	2					
West Virginia:							
Southern.....	26		26				
Florida:							
Southern.....	4	4					
Texas:							
Southern.....	6			1		2	2
Michigan:							
Eastern.....	1			1			
Ohio:							
Southern.....	6	6					
Illinois:							
Northern.....	85			14	71		
Indiana:							
Southern.....	8	8					
Minnesota.....	2			2			
California:							
Northern.....	1			1			
Central.....	27	1		22	4		
Kansas.....	57			1			*56
Oklahoma:							
Western.....	9					9	

\*Includes 55 contract suits.

Note: This table comprises 409 cases pending on July 1, 1970 as well as 305 new cases received during fiscal year 1971.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1972

*Transfer of cases under 28 U.S.C. 1407*

During 1972 the Judicial Panel on Multidistrict Litigation transferred 231 civil actions which were originally filed in 45 districts to 23 district courts for the purpose of consolidated pretrial procedure. In 1971, 305 cases which had been originally filed in 53 different district courts were transferred into 19 districts.

Earlier in this report there was a discussion of class action allegations in civil cases filed under Rule 23 of the Federal Rules of Civil Procedure. Such allegations are prevalent in cases transferred by the Judicial Panel on Multidistrict Litigation. Fully 19 of the 39 groups of multidistrict litigation transferred in 1972 contained allegations of a class action. To show the magnitude of a class action litigation, one civil suit transferred in 1972 involves over 22 million possible consumer plaintiffs and already several hundred attorneys are represented in the case. The pretrial procedure in this case as in other multidistrict litigation cases was assigned to a single district judge who also handles a full caseload of civil and criminal cases.

Since the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), became effective, there has been a total of 1,406 transfers by the Judicial Panel. The district judge has the responsibility of conducting coordinated or consolidated pretrial proceedings in the cases assigned him by the Panel. Unless terminated in the transferee court or ordered transferred by the transferee judge to the transferee or other district under 28 U.S.C. § 1404(a) or 28 U.S.C. § 1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Of significance are the 972 civil cases originally filed in districts which received transfers from the Panel. These cases when joined to the 1,406 multidistrict litigation cases transferred by the Panel has provided a workload of 2,378 cases subject to 28 U.S.C. 1407 proceedings. During the four years, 788 of the 2,378 total cases have been remanded by the Panel or terminated leaving a balance of 1,590 cases still on the dockets of the district courts.

The first two tables which follow address themselves to the transfers handled by the Panel during 1972. The third table accounts for each one of the 1,406 multidistrict litigation cases transferred by the Panel during the last four years and further provides the case name of the civil actions transferred to each district court and those which contained class action allegations.

TABLE 56.—Number and types of civil cases transferred during fiscal year 1972 by order of the Judicial Panel on Multidistrict Litigation

Transferee district	Types of cases transferred	Number transferred
Alabama, Northern	Cast Iron Pipe Antitrust Litigation <sup>1</sup>	31
California:		
Northern	Gypsum Wallboard Antitrust Litigation <sup>1</sup> and 7-Eleven Franchise Antitrust Litigation. <sup>1</sup>	21
Central	San Antonio, Venezuela Air Disaster Litigation; Hotel Telephone Charge Antitrust Litigation <sup>1</sup> ; Air Pollution Antitrust Litigation <sup>1</sup> ; and Concrete Pipe Antitrust Litigation. <sup>1</sup>	14
Colorado	King Resources Co. Securities Litigation <sup>1</sup> and Denver, Colo. Air Disaster Litigation.	6
Connecticut	Master Key Antitrust Litigation <sup>1</sup> and Tweed-New Haven Airport Air Disaster Litigation.	5
District of Columbia	Ampicillin Antitrust Litigation <sup>1</sup>	1
Florida:		
Middle	Cross-Florida Barge Canal Litigation	1
Southern	Yarn Processing Patent Validity Litigation.	6
Illinois, Northern	Government Auto Fleet Sales Antitrust Litigation <sup>1</sup> and Commodities Exchange Commission Rate Antitrust Litigation. <sup>1</sup>	13
Indiana, Southern	Fairland, Indiana Air Disaster Litigation	18
Massachusetts	Revenue Properties Co. Securities Litigation <sup>1</sup> and Kauffman Mutual Fund Litigation. <sup>1</sup>	10
Minnesota	Antibiotic Drug Antitrust Litigation <sup>1</sup> and IBM Antitrust Litigation.	4
Missouri, Western	International House of Pancakes Franchise Litigation. <sup>1</sup>	6
New Hampshire	Hanover, New Hampshire Air Disaster Litigation.	1
New York, Southern	Seeburg-Commonwealth United Litigation; <sup>1</sup> Penn Central Commercial Paper Litigation; Value Line Special Situation Fund Litigation; <sup>1</sup> and Madison Fund Inc. Securities Litigation. <sup>1</sup>	7
Ohio, Northern	Refrigerant Gas Antitrust Litigation <sup>1</sup>	4
Oklahoma, Western	Four Seasons Securities Laws Litigation <sup>1</sup>	5
Pennsylvania:		
Eastern	Plumbing Fixture Litigation; <sup>1</sup> Penn Central Securities Litigation; <sup>1</sup> and CBS Licensing Antitrust Litigation.	37
Western	Suess Patent Infringement Litigation	10

See footnote at end of table.

TABLE 56.—Number and types of civil cases transferred during fiscal year 1972 by order of the Judicial Panel on Multidistrict Litigation—Continued

Transferee district	Types of cases transferred	Number transferred
Tennessee, Western.....	New Orleans, Louisiana Air Disaster Litigation.	6
Texas, Northern.....	Las Vegas, Nev. Air Disaster Litigation; Mandeville, La. Air Disaster Litigation; and Camco Patent Infringement Litigation.	12
West Virginia, Southern....	Huntington, W. Va. Air Disaster Litigation.	9
Wisconsin, Eastern.....	Antitrust Actions Against Career Academy. <sup>1</sup>	4
Total.....		231

<sup>1</sup> Denotes allegation of a class action under Rule 23, Federal Rules of Civil Procedure.

TABLE 57.—Civil cases transferred from one district to another during fiscal year ended June 30, 1972, by order of the Judicial Panel on Multidistrict Litigation

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Total.....	231	231	-----
District of Columbia.....	1	5	-4
First circuit:			
Massachusetts.....	10	3	7
New Hampshire.....	1		1
Puerto Rico.....		2	-2
Second circuit:			
Connecticut.....	5		5
New York, Southern.....	7	47	-40
New York, Eastern.....		7	-7
Third circuit:			
Delaware.....		4	-4
New Jersey.....		3	-3
Pennsylvania, Eastern.....	37	15	22
Pennsylvania, Western.....	10	2	8
Fourth circuit:			
Maryland.....		5	-5
North Carolina, Middle.....		3	-3
South Carolina.....		1	-1
Virginia, Eastern.....		1	-1
Virginia, Western.....		1	-1
West Virginia, Northern.....		1	
West Virginia, Southern.....	9	1	8

TABLE 57.—Civil cases transferred from one district to another during fiscal year ended June 30, 1972, by order of the Judicial Panel on Multidistrict Litigation—Con.

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
<b>Fifth circuit:</b>			
Alabama, Northern	31		31
Florida, Middle	1		1
Florida, Southern	6	4	2
Georgia, Northern		1	-1
Louisiana, Eastern		1	-1
Louisiana, Western		2	-2
Mississippi, Southern		1	-1
Texas, Northern	12	2	10
Texas, Southern		6	-6
<b>Sixth circuit:</b>			
Kentucky, Eastern		2	-2
Michigan, Eastern		4	-4
Ohio, Northern	4	3	1
Ohio, Southern		4	-4
Tennessee, Western	6		6
<b>Seventh circuit:</b>			
Illinois, Northern	13	31	-18
Illinois, Southern		1	-1
Indiana, Southern	18		18
Indiana, Northern		2	-2
Wisconsin, Eastern	4	5	-1
<b>Eighth circuit:</b>			
Iowa, Northern		1	-1
Minnesota	4	2	2
Missouri, Western	6	1	5
Nebraska		2	-2
<b>Ninth circuit:</b>			
California, Northern	21	20	1
California, Eastern		3	-3
California, Central	14	14	
California, Southern		5	-5
Nevada		1	-1
Oregon		1	-1
Washington, Western		2	-2
<b>Tenth circuit:</b>			
Colorado	6	3	3
Kansas		4	-4
Oklahoma, Western	5		5
Oklahoma, Northern		2	-2

TABLE 58.—Summary by district of civil cases transferred under 28 U.S.C. 1407 for the period July 7, 1968 to June 30, 1972

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Total.....		1, 406	1, 406	-----
Alabama:				
Northern.....	1	31	8	23
Middle.....			3	-3
Southern.....			3	-3
Alaska.....			2	-2
Arizona.....			14	-14
Arkansas:				
Eastern.....			4	-4
Western.....			1	-1
California:				
Northern.....	2	83	163	-80
Eastern.....			4	-4
Central.....	3	54	55	-1
Southern.....			11	-11
Colorado.....	4	6	8	-2
Connecticut.....	5	13	6	7
Delaware.....	6	2	6	-4
District of Columbia.....	7	23	25	-2
Florida:				
Northern.....			3	-3
Middle.....	8	1	2	-1
Southern.....	9	10	11	-1
Georgia:				
Northern.....			6	-6
Southern.....			1	-1
Hawaii.....			1	-1
Illinois:				
Northern.....	10	180	198	-18
Southern.....			1	-1
Indiana:				
Northern.....			3	-3
Southern.....	11	68	4	64
Iowa:				
Northern.....			1	-1
Southern.....			6	-6
Kansas.....	12	49	18	31
Kentucky:				
Eastern.....	13	54	9	45
Western.....			3	-3
Louisiana:				
Eastern.....			9	-9
Western.....			3	-3

TABLE 58.—Summary by district of civil cases transferred under 28 U.S.C. 1407 for the period July 7, 1968 to June 30, 1972—Continued

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Maryland.....	14	5	27	-22
Massachusetts.....	15	29	29	-----
Michigan:				
Eastern.....	16	1	18	-17
Western.....			2	-2
Minnesota.....	17	10	26	-16
Mississippi, Southern.....			2	-2
Missouri:				
Eastern.....			17	-17
Western.....	18	6	17	-11
Montana.....			1	-1
Nebraska.....			13	-13
Nevada.....			3	-3
New Hampshire.....	19	24	-----	24
New Jersey.....	20	10	14	-4
New York:				
Northern.....	21	2	4	-2
Southern.....	22	163	260	-97
Eastern.....			25	-25
Western.....			4	-4
North Carolina:				
Eastern.....			5	-5
Middle.....			5	-5
Western.....	23	2	-----	2
Ohio:				
Northern.....	24	4	14	-10
Southern.....	25	6	76	-70
Oklahoma:				
Northern.....			3	-3
Eastern.....	26	7	-----	7
Western.....	27	14	4	10
Oregon.....			5	-5
Pennsylvania:				
Eastern.....	28	459	58	401
Middle.....			20	-20
Western.....	29	10	21	-11
Puerto Rico.....	30	19	5	14
Rhode Island.....			1	-1
South Carolina.....			7	-7
South Dakota.....			2	-2
Tennessee:				
Eastern.....			4	-4
Middle.....			3	-3
Western.....	31	6	5	1

TALBE 58.—Summary by district of civil cases transferred under 28 U.S.C. 1407 for the period July 7, 1968 to June 30, 1972—Continued

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Texas:				
Northern.....	32	12	21	-9
Southern.....	33	4	13	-9
Western.....			3	-3
Utah.....			1	-1
Vermont.....			16	-16
Virginia:				
Eastern.....			19	-19
Western.....			2	-2
Washington, Western.....			17	-7
West Virginia:				
Northern.....			1	-1
Southern.....	34	35	2	33
Wisconsin:				
Eastern.....	35	4	13	-9
Western.....			6	-6

*Type of civil case received*

(1) Cast Iron Pipe Antitrust Litigation.<sup>1</sup>

(2) Gypsum Wallboard Antitrust Litigation; <sup>1</sup> Hong Kong Air Disaster Litigation; Koratron Patent Litigation; Water Meter Antitrust Litigation; <sup>1</sup> Western Liquid Asphalt Litigation; <sup>1</sup> and 7-Eleven Franchise Antitrust Litigation.<sup>1</sup>

(3) "West of the Rockies" Concrete Pipe Antitrust Litigation; <sup>1</sup> Air Pollution Antitrust Litigation; <sup>1</sup> Santa Monica Bay Air Disaster Litigation; Embro Patent Infringement Litigation; San Antonio, Venezuela Air Disaster Litigation; and Hotel Telephone Charge Antitrust Litigation.<sup>1</sup>

(4) King Resources Company Securities Litigation <sup>1</sup> and Denver, Colorado Air Disaster Litigation.

(5) Master Key Antitrust Litigation <sup>1</sup> and Tweed-New Haven Airport Air Disaster Litigation.

(6) Frost Patent Litigation.

(7) Ampicillin Antitrust Litigation <sup>1</sup> and Alisco-Harvard Fraud Litigation.

<sup>1</sup> Denotes allegation of a class action under Rule 23, Federal Rules of Civil Procedure.

- (8) Cross-Florida Barge Canal Litigation.
- (9) Maracaibo, Venezuela Air Disaster Litigation and Yarn Processing Patent Validity Litigation.
- (10) Children's Books Litigation; <sup>1</sup> Admission Ticket Litigation; Butterfield Patent Infringement Litigation; Air Fare Litigation; <sup>1</sup> Government Auto Fleet Sales Antitrust Litigation; <sup>1</sup> and Commodities Exchange Commission Rate Antitrust Litigation.<sup>1</sup>
- (11) Fairland, Indiana Air Disaster Litigation.
- (12) Grain Shipment Litigation.
- (13) Constance, Kentucky Air Disaster Litigations.
- (14) Kaehni Patent Litigation.
- (15) Revenue Properties Company Securities Litigation; <sup>1</sup> CBS Color Tube Patent Litigation; and Kauffman Mutual Fund Litigation.<sup>1</sup>
- (16) Willingham Patent Litigation.
- (17) Antibiotic Drug Litigation (Non-Settling Cases)<sup>1</sup> and IBM Antitrust Litigation.
- (18) International House of Pancakes Franchise Litigation.<sup>1</sup>
- (19) Hanover, New Hampshire Air Disaster Litigation.
- (20) Fourth Class Postage Regulation Litigation.
- (21) Litigation Involving Welch & Morgan.
- (22) Protection Device Antitrust Litigation; <sup>1</sup> Antibiotic Drug Litigation (Settling Cases); <sup>1</sup> Seeburg-Commonwealth United Litigation; <sup>1</sup> Penn Central Commercial Paper Litigation; <sup>1</sup> Carrom Trademark Litigation; Brown Company Securities Litigation; <sup>1</sup> Value Line Special Situation Fund Litigation; <sup>1</sup> and Madison Fund, Inc. Securities Litigation.
- (23) Hendersonville, North Carolina Air Disaster Litigation.
- (24) Refrigerant Gas Antitrust Litigation.<sup>1</sup>
- (25) Dayton, Ohio Air Disaster Litigation.
- (26) Ardmore, Oklahoma Air Disaster Litigation.
- (27) Four Seasons Securities Laws Litigation.<sup>1</sup>
- (28) Plumbing Fixture Litigation; <sup>1</sup> Concrete Pipe Antitrust Litigation; <sup>1</sup> Penn Central Securities Litigation; <sup>1</sup> and CBS Licensing Antitrust Litigation.
- (29) Suess Patent Infringement Litigation.
- (30) San Juan, Puerto Rico Air Disaster Litigation.

<sup>1</sup> Denotes allegation of a class action under Rule 23, Federal Rules of Civil Procedure.

(31) New Orleans, Louisiana Air Disaster Litigation.

(32) Las Vegas, Nevada Air Disaster Litigation; Mandeville, Louisiana Air Disaster Litigation; and Camco Patent Infringement Litigation.

(33) Westec Corporation Litigation.

(34) Silver Bridge Disaster Litigation and Huntington, West Virginia Air Disaster Litigation.

(35) Career Academy Antitrust Litigation.<sup>1</sup>

*Economic Stabilization Act*<sup>2</sup>

The 1971 amendments to the Economic Stabilization Act of 1970 provided that:

(1) exclusive jurisdiction of cases arising under this Act shall lie in the United States district courts, and such cases shall not be subject to any limitation with respect to amount in controversy;

(2) permits other courts of competent jurisdiction to determine issues relating to the Act when such issues are raised by way of defense, other than a defense based on the constitutionality of the act or the validity of action taken by any agency under the Act;

(3) creates a Temporary Emergency Court of Appeals, which shall have exclusive jurisdiction over all appeals arising under the Act, and over all constitutional questions involving the Act or the validity of any regulation or order issued thereunder;

(4) the district court must certify all constitutional questions arising under the Act or questions involving the validity of any regulation or order issued thereunder; the injunctive authority of the district court is limited to enjoining temporarily or permanently the application of a particular regulation or order to a person who is a party to litigation before it; and,

(5) the grounds requisite for invalidating a regulation or order are those listed in 5 USC 706(2).

In addition to future cases the provisions relating to judicial review (Section 211 of the Act),

... apply to any actions or suits pending in any court, Federal or State, on the date of enactment of this section in which no final order or judgment has been rendered.

<sup>1</sup> Denotes allegation of a class action under Rule 23, Federal Rules of Civil Procedure.

<sup>2</sup> Executive Order 11615, August 15, 1971 and Amendments to P.L. 92-210, December 22, 1971.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1973

*Transfer of Cases Under 28 U.S.C. 1407*

The Judicial Panel on Multidistrict Litigation transferred during the fiscal year 224 civil actions which were originally filed in 46 districts to 20 districts. In 1972, 231 civil cases were transferred from 45 district courts to 23 courts for the purpose of coordinated or consolidated pretrial proceedings. In 1971, 305 cases filed in 53 districts were transferred by the Panel to 19 different district courts.

The district judge to whom cases have been assigned by the Panel has the responsibility of conducting coordinated or consolidated pretrial proceedings in those cases. Unless a case is closed in the transferee court or ordered transferred by the transferee judge to the transferee or other district under 28 U.S.C. 1404(a) or 28 U.S.C. 1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established the Judicial Panel, there have been 1,630 transfers of civil cases to which were joined 1,234 civil actions originally filed in the districts receiving the transfers (referred to as transferee districts). Thus, 2,864 cases have been part of Section 1407 pretrial proceedings in the district courts and by June 30, 1973, 1,189 had been either remanded by the Panel or terminated by the transferee courts. The balance of 1,675 multidistrict litigation cases on the district court dockets is 5.3 percent higher than the 1,590 reported a year ago.

The first two of the accompanying tables provide statistics on the districts transferring and receiving cases by order of the Judicial Panel during 1973. The third table distributes the 1,630 transfers by district and further supplies the names of the multidistrict litigations together with identification of those which contain allegations of a class action under Rule 23, "Federal Rules of Civil Procedure."

TABLE 39a.—Number and types of cases transferred during fiscal year 1973 by order of the Judicial Panel on Multidistrict Litigation

Transferee district	Types of cases transferred	Number trans.ferred
Alabama, Northern.....	Cast Iron Pipe Antitrust Litigation (MDL-81) <sup>1</sup> .....	2
California, Northern.....	Gypsum Wallboard Antitrust Litigation (MDL-14) <sup>1</sup> ; Juneau, Alaska, Air Disaster Litigation (MDL-107); and Holiday Magic Securities and Antitrust Litigation (MDL-124). <sup>1</sup>	40
California, Central.....	Toronto International Airport Air Disaster Litigation (MDL-103); and Duarte, Calif., Air Disaster Litigation (MDL-106).	17
Colorado.....	King Resources Securities Litigation (MDL-79) <sup>1</sup> .....	3
Connecticut.....	Master Key Antitrust Litigation (MDL-45) <sup>1</sup> .....	3
District of Columbia.....	National Student Marketing Litigation (MDL-105).....	7
Florida, Southern.....	Yarn Processing Patent Validity Litigation (MDL-82); Nissan Motor Corp. Antitrust Litigation (MDL-120); and Florida Everglades Air Disaster Litigation (MDL-139).	14
Illinois, Northern.....	Government Auto Fleet Sales Antitrust Litigation (MDL-65) <sup>1</sup> ; Commodities Exchange Commission Rate Antitrust Litigation (MDL-99) <sup>1</sup> ; Convenient Food Mart Franchise Litigation (MDL-103); and AMF Computerized Cash Register Contracts Litigation (MDL-130).	19
Indiana, Southern.....	Aviation Products Liability Litigation (MDL-104).....	13
Kansas.....	Silver Plume, Colo., Air Disaster Litigation (MDL-112).....	7
Massachusetts.....	Viatron Computer Systems Corp. Securities Litigation (MDL-138). <sup>1</sup>	1
Minnesota.....	Antibiotic Drug Litigation (nonsettling cases) (MDL-10) <sup>1</sup> .....	1
Missouri, Western.....	Midwest Milk Monopolization Litigation (MDL-83) <sup>1</sup> , Transit Co. Tire Antitrust Litigation (MDL-111) <sup>1</sup> ; and Cessna Aircraft Distributorship Antitrust Litigation (MDL-123).	22
New Hampshire.....	Burlington, Vermont, Air Disaster Litigation (MDL-132).....	3
New York, Southern.....	Penn Central Commercial Paper Litigation (MDL-56A); Texas Gulf Sulphur Securities Litigation (MDL-100) <sup>1</sup> ; Caesars Palace Securities Litigation (MDL-100) <sup>1</sup> ; Atlantic Department Stores, Inc., Litigation (MDL-113) <sup>1</sup> ; and General Adjustment Bureau Antitrust Litigation (MDL-127) <sup>1</sup> .	9
Oklahoma, Western.....	Four Seasons Securities Laws Litigation (MDL-55) <sup>1</sup> .....	9
Pennsylvania, Eastern.....	Plumbing Fixture Litigation (MDL-3) <sup>1</sup> ; Penn Central Securities Litigation (MDL-56) <sup>1</sup> ; REA Express, Inc. Private Treble-Damage Antitrust Litigation (MDL-115); Professional Hockey Antitrust Litigation (MDL-119); and Pellston, Michigan, Air Disaster Litigation (MDL-125).	22
Pennsylvania, Western.....	Glenn W. Turner Enterprises Litigation (MDL-109) <sup>1</sup> .....	14
Washington, Western.....	Atlantic City, N.J., Air Disaster Litigation (MDL-114).....	6
West Virginia, Southern.....	Huntington, W. Va., Air Disaster Litigation (MDL-94).....	12
Total.....		224

<sup>1</sup> Denotes allegation of a class action under Rule 23, "Federal Rules of Civil Procedure."

TABLE 39b.—Civil cases transferred from one district to another during fiscal year ended June 30, 1973, by order of the Judicial Panel on Multidistrict Litigation

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Total.....	224	224	.....
District of Columbia.....	7	8	-1
First circuit.....	4	8	-4
Maine.....		2	-2
Massachusetts.....	1	5	-4
New Hampshire.....	3	1	2
Second circuit.....	12	39	-27
Connecticut.....	3	1	2
New York, Southern.....	9	32	-23
New York, Eastern.....		5	-5
Vermont.....		1	-1
Third circuit.....	36	14	22
New Jersey.....		4	-4
Pennsylvania, Eastern.....	22	8	14
Pennsylvania, Middle.....		1	-1
Pennsylvania, Western.....	14	1	13
Fourth circuit.....	12	2	10
North Carolina, Eastern.....		1	-1
North Carolina, Western.....		1	-1
West Virginia, Southern.....	12		12
Fifth circuit.....	16	22	-6
Alabama, Northern.....	2	2	.....
Florida, Middle.....		1	-1
Florida, Southern.....	14	6	8
Georgia, Northern.....		1	-1
Texas, Eastern.....		1	-1
Texas, Northern.....		6	-6
Texas, Southern.....		5	-5

TABLE 39b.—Civil cases transferred from one district to another during fiscal year ended June 30, 1973, by order of the Judicial Panel on Multidistrict Litigation—Cont.

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Sixth circuit.....		17	-17
Kentucky, Eastern.....		2	-2
Michigan, Eastern.....		6	-6
Michigan, Western.....		1	-1
Ohio, Northern.....		3	-3
Ohio, Southern.....		5	-5
Seventh circuit.....	32	12	20
Illinois, Northern.....	19	7	12
Indiana, Northern.....		3	-3
Indiana, Southern.....	13	1	12
Wisconsin, Eastern.....		1	-1
Eighth circuit.....	23	12	11
Minnesota.....	1	9	-8
Missouri, Eastern.....		1	-1
Missouri, Western.....	22		22
Nebraska.....		1	-1
South Dakota.....		1	-1
Ninth circuit.....	63	71	-8
Alaska.....		14	-14
Arizona.....		4	-4
California, Northern.....	40	9	31
California, Central.....	17	9	8
Idaho.....		2	-2
Nevada.....		2	-2
Oregon.....		10	-10
Washington, Western.....	6	21	-15
Tenth circuit.....	19	19	
Colorado.....	3	1	2
Kansas.....	7	2	5
Oklahoma, Western.....	9	4	5
Utah.....		12	-12

TABLE 39c.—Summary by district of civil cases transferred under 28 U.S.C. 1407, for the period July 7, 1968 to June 30, 1973

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Total.....		1,630	1,630	
Alabama:				
Northern.....	1	33	10	23
Middle.....			3	-3
Southern.....			3	-3
Alaska.....			16	-16
Arizona.....			18	-18
Arkansas:				
Eastern.....			4	-4
Western.....			1	-1
California:				
Northern.....	2	123	172	-49
Eastern.....			4	-4
Central.....	3	71	64	7
Southern.....			11	-11
Colorado.....	4	9	9	
Connecticut.....	5	16	7	9
Delaware.....	6	2	6	-4
District of Columbia.....	7	30	33	-3
Florida:				
Northern.....			3	-3
Middle.....	8	1	3	-2
Southern.....	9	24	17	7
Georgia:				
Northern.....			7	-7
Southern.....			1	-1
Hawaii.....			1	-1
Idaho.....			2	-2
Illinois:				
Northern.....	10	199	205	-6
Southern.....			1	-1
Indiana:				
Northern.....			6	-6
Southern.....	11	81	5	76
Iowa:				
Northern.....			1	-1
Southern.....			6	-6
Kansas.....	12	56	20	36
Kentucky:				
Eastern.....	13	54	11	43
Western.....			3	-3
Louisiana:				
Eastern.....			9	-9
Western.....			3	-3

See footnote at end of table.

TABLE 39c.—Summary by district of civil cases transferred under 28 U.S.C. 1407, for the period July 7, 1968 to June 30, 1973—Continued

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Maine.....			2	-2
Maryland.....	14	5	27	-22
Massachusetts.....	15	30	34	-4
Michigan:				
Eastern.....	16	1	24	-23
Western.....			3	-3
Minnesota.....	17	11	35	-24
Mississippi, Southern.....			2	-2
Missouri:				
Eastern.....			18	-18
Western.....	18	28	17	11
Montana.....			1	-1
Nebraska.....			14	-14
Nevada.....			5	-5
New Hampshire.....	19	27	1	26
New Jersey.....	20	10	18	-8
New York:				
Northern.....	21	2	4	-2
Southern.....	22	172	292	-120
Eastern.....			30	-30
Western.....			4	-4
North Carolina:				
Eastern.....			6	-6
Middle.....			5	-5
Western.....	23	2	1	1
Ohio:				
Northern.....	24	4	17	-13
Southern.....	25	6	81	-75
Oklahoma:				
Northern.....			3	-3
Eastern.....	26	7		7
Western.....	27	23	8	15
Oregon.....			15	-15
Pennsylvania:				
Eastern.....	28	481	66	415
Middle.....			21	-21
Western.....	29	24	22	-2
Puerto Rico.....	30	19	5	14
Rhode Island.....			1	-1
South Carolina.....			7	-7
South Dakota.....			3	-3
Tennessee:				
Eastern.....			4	-4
Middle.....			3	-3
Western.....	31	6	5	1

See footnotes at end of table.

TABLE 39c.—Summary by district of civil cases transferred under 28 U.S.C. 1407, for the period July 7, 1968 to June 30, 1973—Continued

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Texas:				
Eastern.....			1	-1
Northern.....	32	12	27	-15
Southern.....	33	4	18	-14
Western.....			3	-3
Utah.....			13	-13
Vermont.....			17	-17
Virginia:				
Eastern.....			19	-19
Western.....			2	-2
Washington, Western.....	34	6	38	-32
West Virginia:				
Northern.....			1	-1
Southern.....	35	47	2	45
Wisconsin:				
Eastern.....	36	4	14	-10
Western.....			6	-6

<sup>1</sup> Cast Iron Pipe Antitrust Litigation (MDL-81).

<sup>2</sup> Gypsum Wallboard Antitrust Litigation (MDL-14);\* Hong Kong Air Disaster Litigation (MDL-15); Koratron Patent Litigation (MDL-20); Water Meter Antitrust Litigation (MDL-23);\* Western Liquid Asphalt Litigation (MDL-24);\* 7-Eleven Franchise Antitrust Litigation (MDL-97);\* Juneau, Alaska Air Disaster Litigation (MDL-107); Holiday Magic Securities and Antitrust Litigation (MDL-124).\*

<sup>3</sup> "West of the Rockies" Concrete Pipe Antitrust Litigation (MDL-25);\* Air Pollution Antitrust Litigation (MDL-31);\* Santa Monica Bay Air Disaster Litigation (MDL-34); Embro Patent Infringement Litigation (MDL-57); San Antonio, Venezuela Air Disaster Litigation (MDL-72); Hotel Telephone Charge Antitrust Litigation (MDL-89);\* Toronto International Airport Air Disaster Litigation (MDL-103); Duarte, California Air Disaster Litigation (MDL-106).

<sup>4</sup> King Resources Company Securities Litigation (MDL-79);\* Denver, Colorado Air Disaster Litigation (MDL-88).

<sup>5</sup> Master Key Antitrust Litigation (MDL-45);\* Tweed-New Haven Airport Air Disaster Litigation (MDL-96).

<sup>6</sup> Frost Patent Litigation (MDL-46).\*

<sup>7</sup> Ampicillin Antitrust Litigation (MDL-50);\* Alisco-Harvard Fraud Litigation (MDL-54); National Student Marketing Litigation (MDL-105).

<sup>8</sup> Cross-Florida Barge Canal Litigation (MDL-70).

<sup>9</sup> Maracaibo, Venezuela Air Disaster Litigation (MDL-48); Yarn Processing Patent Validity Litigation (MDL-82); Nissan Motor Corporation Antitrust Litigation (MDL-120);\* Florida Everglades Air Disaster Litigation (MDL-139).

<sup>10</sup> Childrens' Books Litigation (MDL-2);\* Admission Ticket Litigation (MDL-21); Butterfield Patent Infringement Litigation (MDL-29); Air Fare Litigation (MDL-58);\* Government Auto Fleet Sales Antitrust Litigation (MDL-65); \*Commodities Exchange Commission Rate Antitrust Litigation (MDL-99);\* Convenient Food Mart Franchise Litigation (MDL-108);\* AMF Computerized Cash Register Contracts Litigation (MDL-130).

<sup>11</sup> Fairland, Indiana Air Disaster Litigation (MDL-30); Aviation Product Liability Litigation (MDL-104).

<sup>12</sup> Grain Shipment Litigation (MDL-22); Silver Plume, Colorado Air Disaster Litigation (MDL-112).

<sup>13</sup> Constance, Kentucky Air Disaster Litigation (MDL-8A and 8B).

<sup>14</sup> Kaehni Patent Litigation (MDL-36).

<sup>15</sup> Revenue Properties Company Securities Litigation (MDL-32);\* CBS Color Tube Patent Litigation (MDL-69); Kauffman Mutual Fund Litigation (MDL-78);\* Viatron Computer Systems Corporation Securities Litigation (MDL-138).

<sup>16</sup> Willingham Patent Litigation (MDL-60).

<sup>17</sup> Antibiotic Drug Litigation (Non-Settling Cases) (MDL-10);\* IBM Antitrust Litigation (MDL-18).

<sup>18</sup> International House of Pancakes Franchise Litigation (MDL-77); Midwest Milk Monopolization Litigation (MDL-83)\*; Transit Company Tire Antitrust Litigation (MDL-111)\*; Cessna Aircraft Distributorship Antitrust Litigation (MDL-123).

<sup>19</sup> Hanover, New Hampshire Air Disaster Litigation (MDL-43); Burlington, Vermont Air Disaster Litigation (MDL-132).

<sup>20</sup> Fourth Class Postage Regulation Litigation (MDL-16).

<sup>21</sup> Litigation Involving Welch & Morgan (MDL-71).

<sup>22</sup> Protection Device Antitrust Litigation (MDL-9); Antibiotic Drug Litigation (Settling Cases) (MDL-10); Seeburg-Commonwealth United Litigation (MDL-37); Penn Central Commercial Paper Litigation (MDL-56A); Carrom Trademark Litigation (MDL-61); Brown Company Securities Litigation (MDL-67); Value Line Special Situation Fund Litigation (MDL-75); Madison Fund, Inc. Securities Litigation (MDL-87); Texas Gulf Sulphur Securities Litigation (MDL-100)\*; Caesars Palace Securities Litigation (MDL-110)\*; Atlantic Department Stores, Inc. Litigation (MDL-113)\*; General Adjustment Bureau Antitrust Litigation (MDL-127)\*.

<sup>23</sup> Hendersonville, N.C. Air Disaster Litigation (MDL-13).

<sup>24</sup> Refrigerant Gas Antitrust Litigation (MDL-76).

<sup>25</sup> Dayton, Ohio Air Disaster Litigation (38).

<sup>26</sup> Ardmore, Oklahoma Air Disaster Litigation (MDL-11).

<sup>27</sup> Four Seasons Securities Laws Litigation (MDL-55).

<sup>28</sup> Plumbing Fixture Litigation (MDL-3); Concrete Pipe Antitrust Litigation (MDL-12); Penn Central Securities Litigation (MDL-56); CBS Licensing Antitrust Litigation (MDL-59); REA Express, Inc. Private Treble Damage Litigation (MDL-115); Professional Hockey Antitrust Litigation (MDL-119); Pellston, Michigan Air Disaster Litigation (MDL-125).

<sup>29</sup> Sues Patent Infringement Litigation (MDL-74); Glenn W. Turner Enterprises Litigation (MDL-109)\*.

<sup>30</sup> San Juan, Puerto Rico Air Disaster Litigation (MDL-47).

<sup>31</sup> New Orleans, Louisiana Air Disaster Litigation (MDL-64);

<sup>32</sup> Las Vegas, Nevada Air Disaster Litigation (MDL-80); Mandeville, Louisiana Air Disaster Litigation (MDL-84); Camco Patent Infringement Litigation (MDL-101).

<sup>33</sup> Westec Corporation Litigation (MDL-27).

<sup>34</sup> Atlantic City, New Jersey Air Disaster Litigation (MDL-114).

<sup>35</sup> Silver Bridge Disaster Litigation (MDL-39); Huntington, West Virginia Air Disaster Litigation (MDL-94).

<sup>36</sup> Career Academy Antitrust Litigation (MDL-98).

\*Denotes allegation of a class action under Rule 23, "Federal Rules of Civil Procedure."

NOTE.—MDL refers to Multidistrict Litigation Panel number which is common to all civil cases transferred by the Judicial Panel under provisions of 28 U.S.C. 1407.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1974

## TRANSFER OF CASES UNDER 28 U.S.C. § 1407

During the fiscal year, the Judicial Panel on Multidistrict Litigation transferred 354 civil actions which were originally filed in 56 districts to 20 districts. In 1973, 224 civil cases were transferred from 46 district courts to 20 courts for the purpose of coordinated or consolidated pretrial proceedings. In 1972, 231 cases filed in 45 districts were transferred by the Panel to 23 different district courts.

The district judges to whom cases have been assigned by the Panel have the responsibility of conducting coordinated or consolidated pretrial proceedings in those cases. Unless a case is closed in the transferee court or ordered transferred by the transferee judge to the transferee or other district under 28 U.S.C. § 1404(a) or 28 U.S.C. § 1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established the Panel, there have been 1,984 transfers of civil cases to which were joined 1,454 civil actions originally filed in the districts receiving the transfers (referred to as transferee districts). Thus, 3,438 cases have been a part of Section 1407 pretrial proceedings in the district courts by June 30, 1974. To date 1,954 have either been remanded by the Panel or terminated by the transferee courts.

The first two of the accompanying tables provides statistics on the districts transferring and receiving cases by order of the Panel during 1974. The third table distributes the 1,984 transfers by district and further supplies the names of the multidistrict litigations together with identification of those which contain allegations of a class action under Rule 23, *Federal Rules of Civil Procedure*.

TABLE 66.—Number and types of cases transferred during fiscal year 1974 by order of the Judicial Panel on Multidistrict Litigation

Transferee district	Types of cases transferred	Number transferred
Arizona.....	Coolidge, Arizona, Air Disaster Litigation (MDL-144).....	3
California, Northern.....	7-Eleven Franchise Antitrust Litigation (NDL-97); <sup>1</sup> Juneau, Alaska Air Disaster Litigation (MDL-107); Holiday Magic Securities & Antitrust Litigation (MDL-124); <sup>1</sup> Great Western Ranches Litigation (MDL-143); <sup>1</sup> Sta-Power Industries, Inc. Securities & Antitrust Litigation (MDL-151); <sup>1</sup> and IBM Peripheral EDP Devices Antitrust Litigation (MDL-163).	42

TABLE 66.—Number and types of cases transferred during fiscal year 1974 by order of the Judicial Panel on Multidistrict Litigation—Continued

Transferee district	Types of cases transferred	Number transferred
California, Central.....	Hotel Telephone Charge Antitrust Litigation (MDL-89); <sup>1</sup> Duarte, California, Air Disaster Litigation (MDL-106); Public Air Travel Tariff Litigation (MDL-121); <sup>1</sup> Equity Funding Corporation of America Litigation (MDL-142); <sup>1</sup> and Paris, France, Air Disaster Litigation (MDL-172).	74
California, Southern.....	U.S. Financial Securities Litigation (MDL-161) <sup>1</sup> .....	8
Connecticut.....	Tweed-New Haven Airport Air Disaster Litigation (MDL-96).	1
District of Columbia.....	Ampicillin Antitrust Litigation (MDL-50); <sup>1</sup> and Mutual Fund Sales Antitrust Litigation (MDL-135). <sup>1</sup>	44
Florida, Southern.....	Florida Everglades Air Disaster Litigation (MDL-139), and Bestline Products Securities & Antitrust Litigation (MDL-162). <sup>1</sup>	21
Illinois, Northern.....	Government Auto Fleet Sales Antitrust Litigation (MDL-65); <sup>1</sup> and AMF Computerized Cash Register Contracts Litigation (MDL-130).	7
Kansas.....	Clinton Oil Company Securities Litigation (MDL-137); <sup>1</sup> and Natural Resources, Inc. Securities Litigation (MDL-149). <sup>1</sup>	14
Louisiana, Eastern.....	Plywood Antitrust Litigation (MDL-159).....	3
Massachusetts.....	Evergreen Valley Project Litigation (MDL-122); <sup>1</sup> and Boston, Massachusetts, Air Disaster Litigation (MDL-160).	33
Missouri, Western.....	Grain Shipment Litigation (No. II) (MDL-22A); <sup>1</sup> International House of Pancakes Franchise Litigation (MDL-77); <sup>1</sup> and Midwest Milk Monopolization Litigation (MDL-83). <sup>1</sup>	14
New York, Eastern.....	Staines, England, Air Disaster Litigation (MDL-147).....	4
New York, Southern.....	Seeburg-Commonwealth United Litigation (MDL-37); <sup>1</sup> Madison Fund, Inc. Securities Litigation (MDL-87); Atlantic Department Stores, Inc. Litigation (MDL-113); <sup>1</sup> Stirling Homex Corporation Securities Litigation (MDL-126); <sup>1</sup> General Adjustment Bureau Antitrust Litigation (MDL-127); <sup>1</sup> and Banking Agreements with Stirling Homex Corporation (MDL-133).	27
Oklahoma, Northern.....	Home-Stake Production Companies Securities Litigation (MDL-153). <sup>1</sup>	3
Oklahoma, Western.....	Four Seasons Securities Laws Litigation (MDL-55); <sup>1</sup> and Wheat Farmers Antitrust Class Action Litigation (MDL-129). <sup>1</sup>	9
Pennsylvania, Eastern.....	Penn Central Securities Litigation (MDL-56); <sup>1</sup> Professional Hockey Antitrust Litigation (MDL-119); and Pittsburgh & Lake Erie RR Co. Securities & Antitrust Litigation (MDL-134).	13
Pennsylvania, Western.....	Suess Patent Infringement Litigation (MDL-74); and Glenn W. Turner Enterprises Litigation (MDL-109). <sup>1</sup>	31
Washington, Western.....	Boise Cascade Securities Litigation (MDL-128); <sup>1</sup> and West Coast Bakery Flour Antitrust Litigation (MDL-146).	2
Wisconsin, Eastern.....	Clark Oil & Refining Corporation Antitrust Litigation (MDL-140). <sup>1</sup>	1
	Total.....	354

<sup>1</sup> Denotes allegation of a class action under Rule 23, "Federal Rules of Civil Procedure."

TABLE 67.—Civil cases transferred from one district to another during fiscal year ended June 30, 1974, by order of the Judicial Panel on Multidistrict Litigation

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Total.....	354	354	-----
District of Columbia.....	44	3	41
First Circuit.....	33	20	13
Massachusetts.....	33	7	26
New Hampshire.....	-----	10	-10
Puerto Rico.....	-----	3	-3
Second Circuit.....	32	154	-122
Connecticut.....	1	2	-1
New York:			
Southern.....	27	119	-92
Eastern.....	4	13	-9
Western.....	-----	1	-1
Vermont.....	-----	19	-19
Third Circuit.....	44	20	24
Delaware.....	-----	1	-1
New Jersey.....	-----	5	-5
Pennsylvania:			
Eastern.....	13	11	2
Middle.....	-----	1	-1
Western.....	31	2	29
Fourth Circuit.....	-----	10	-10
Maryland.....	-----	6	-6
South Carolina.....	-----	1	-1
Virginia, Eastern.....	-----	2	-2
West Virginia, Southern.....	-----	1	-1
Fifth Circuit.....	24	41	-17
Alabama:			
Northern.....	-----	2	-2
Southern.....	-----	7	-7
Florida:			
Middle.....	-----	4	-4
Southern.....	21	5	16
Georgia:			
Northern.....	-----	3	-3
Southern.....	-----	1	-1

TABLE 67.—Civil cases transferred from one district to another during fiscal year ending June 30, 1974, by order of the Judicial Panel on Multidistrict Litigation—Continued

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Louisiana, Eastern.....	3	2	1
Texas:			
Northern.....		12	-12
Southern.....		4	-4
Western.....		1	-1
Sixth Circuit.....		18	-18
Kentucky:			
Eastern.....		1	-1
Western.....		1	-1
Michigan, Eastern.....		5	-5
Ohio:			
Northern.....		3	-3
Southern.....		4	-4
Tennessee:			
Middle.....		1	-1
Western.....		3	-3
Seventh Circuit.....	8	16	-8
Illinois, Northern.....	7	12	-5
Wisconsin:			
Eastern.....	1	3	-2
Western.....		1	-1
Eighth Circuit.....	14	13	1
Arkansas, Eastern.....		1	-1
Minnesota.....		3	-3
Missouri:			
Eastern.....		3	-3
Western.....	14	6	8
Ninth Circuit.....	129	52	77
Arizona.....	3	2	1
California:			
Northern.....	42	6	36
Eastern.....		2	-2
Central.....	74	10	64
Southern.....	8	2	6
Idaho.....		1	-1
Montana.....		1	-1
Oregon.....		3	-3
Washington, Western.....	2	8	-6
Alaska.....		17	-17

TABLE 67.—Civil cases transferred from one district to another during fiscal year ending June 30, 1974, by order of the Judicial Panel on Multidistrict Litigation—Continued

Circuit and district	Number of cases		Increase or decrease
	Received	Transferred	
Tenth Circuit.....	26	7	19
Colorado.....		4	-4
Kansas.....	14		14
Oklahoma:			
Northern.....	3	1	2
Western.....	9	1	8
Utah.....		1	-1

TABLE 68.—Summary by district of civil cases transferred under 28 U.S.C. 1407, for the period July 7, 1968–June 30, 1974

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Total.....		1, 984	1, 984	-----
Alabama:				
Northern.....	1	33	12	21
Middle.....			3	-3
Southern.....			10	-10
Alaska.....			33	-33
Arizona.....	2	3	20	-17
Arkansas:				
Eastern.....			5	-5
Western.....			1	-1
California:				
Northern.....	3	165	178	-13
Eastern.....			6	-6
Central.....	4	145	74	71
Southern.....	5	8	13	-5
Colorado.....	6	9	13	-4
Connecticut.....	7	17	9	8
Delaware.....	8	2	7	-5
District of Columbia.....	9	74	36	-38
Florida:				
Northern.....			3	-3
Middle.....	10	1	7	-6
Southern.....	11	45	22	23
Georgia:				
Northern.....			10	-10
Southern.....			2	-2

See footnotes at end of table.

TABLE 68.—Summary by district of civil cases transferred under 28 U.S.C. 1407, for the period July 7, 1968–June 30, 1974—Continued

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Hawaii.....			1	-1
Idaho.....			3	-3
Illinois:				
Northern.....	12	206	217	-11
Southern.....			1	-1
Indiana:				
Northern.....			6	-6
Southern.....	13	81	5	76
Iowa:				
Northern.....			1	-1
Southern.....			6	-6
Kansas.....	14	70	20	50
Kentucky:				
Eastern.....	15	54	12	42
Western.....			4	-4
Louisiana:				
Eastern.....	16	(?)	11	-8
Western.....			3	-3
Maine.....			2	-2
Maryland.....	17	5	33	-28
Massachusetts.....	18	63	41	22
Michigan:				
Eastern.....	19	1	29	-28
Western.....			3	-3
Minnesota.....	20	11	38	-27
Mississippi, Southern.....			2	-2
Missouri:				
Eastern.....			21	-21
Western.....	21	42	23	19
Montana.....			2	-2
Nebraska.....			14	-14
Nevada.....			5	-5
New Hampshire.....	22	27	11	16
New Jersey.....	23	10	23	-13
New York:				
Northern.....	24	2	4	-2
Southern.....	25	199	411	-212
Eastern.....	26	4	43	-39
Western.....			5	-5
North Carolina:				
Eastern.....			6	-6
Middle.....			5	-5
Western.....	27	2	1	1
Ohio:				
Northern.....	28	4	20	-16
Southern.....	29	6	85	-79

See footnotes at end of table.

TABLE 68.—Summary by district of civil cases transferred under 28 U.S.C. 1407, for the period July 7, 1968–June 30, 1974—Continued

District	Type of case received	Actions transferred (total to date)		
		Into district	Out of district	Net gain/loss
Oklahoma:				
Northern.....	30	3	4	-1
Eastern.....	31	7		7
Western.....	32	32	9	23
Oregon.....			18	-18
Pennsylvania:				
Eastern.....	33	494	77	417
Middle.....	34		22	-22
Western.....	35	55	24	31
Puerto Rico.....	35	19	8	11
Rhode Island.....			1	-1
South Carolina.....			8	-8
South Dakota.....			3	-3
Tennessee:				
Eastern.....			4	-4
Middle.....			4	-4
Western.....	36	6	8	-2
Texas:				
Eastern.....		0	1	-1
Northern.....	37	12	39	-27
Southern.....	38	4	22	-18
Western.....			4	-4
Utah.....			14	-14
Vermont.....			36	-36
Virginia:				
Eastern.....			21	-21
Western.....			2	-2
Washington, Western.....	39	8	46	-38
West Virginia:				
Northern.....			1	-1
Southern.....	40	47	3	44
Wisconsin:				
Eastern.....	41	5	17	-12
Western.....			7	-7

<sup>1</sup> Cast Iron Pipe Antitrust Litigation (MDL-81).\*

<sup>2</sup> Coolidge, Arizona, Air Disaster Litigation (MDL-144).

<sup>3</sup> Gypsum Wallboard Antitrust Litigation (MDL-14);\* Hong Kong Air Disaster Litigation (MDL-15), Koratron Patent Litigation (MDL-20); Water Meter Antitrust Litigation (MDL-23);\* Western Liquid Asphalt Litigation (MDL-24);\* 7-Eleven Franchise Antitrust Litigation (MDL-97);\* Juneau, Alaska, Air Disaster Litigation (MDL-107); Holiday Magic Securities & Antitrust Litigation (MDL-124);\* Great Western Ranches Litigation (MDL-143);\* Sta-Power Industries, Inc. Securities and Antitrust Litigation (MDL-151);\* IBM Peripheral EDP Devices Antitrust Litigation (MDL-163).

<sup>4</sup> "West of the Rockies" Concrete Pipe Antitrust Litigation (MDL-25);\* Air Pollution Antitrust Litigation (MDL-31);\* Santa Monica Bay Air Disaster Litigation (MDL-34); Embro Patent Infringement Litigation (MDL-57); San Antonio, Venezuela, Air Disaster Litigation (MDL-72); Hotel Telephone Charge Antitrust Litigation (MDL-89);\* Toronto International Airport Air Disaster Litigation (MDL-103); Duarte, Cali-

- fornia, Air Disaster Litigation (MDL-106); Public Air Travel Tariff Litigation (MDL-121);\* Equity Funding Corporation of American Litigation (MDL-142);\* Paris, France, Air Disaster Litigation (MDL-172).
- <sup>6</sup> U.S. Financial Securities Litigation (MDL-161).\*
- <sup>7</sup> King Resources Company Securities Litigation (MDL-79);\* Denver, Colorado, Air Disaster Litigation (MDL-88).
- <sup>7</sup> Master Key Antitrust Litigation (MDL-45);\* Tweed-New Haven Airport Air Disaster Litigation (MDL-96).
- <sup>8</sup> Frost Patent Litigation (MDL-46).\*
- <sup>9</sup> Ampicillin Antitrust Litigation (MDL-50);\* Alisco-Harvard Fraud Litigation (MDL-54); National Student Marketing Litigation (MDL-105); Mutual Fund Sales Antitrust Litigation (MDL-135).\*
- <sup>10</sup> Cross-Florida Barge Canal Litigation (MDL-70).
- <sup>11</sup> Maracaibo, Venezuela, Air Disaster Litigation (MDL-48); Yarn Processing Patent Validity Litigation (MDL-82); Nissan Motor Corporation Antitrust Litigation (MDL-120);\* Florida Everglades Air Disaster Litigation (MDL-139); Bestline Products Securities & Antitrust Litigation (MDL-162).\*
- <sup>12</sup> Children's Books Litigation (MDL-2);\* Admission Ticket Litigation (MDL-21); Butterfield Patent Infringement Litigation (MDL-29); Air Fare Litigation (MDL-58); Government Auto Fleet Sales Antitrust Litigation (MDL-65);\* Commodities Exchange Commission Rate Antitrust Litigation (MDL-99); Convenient Food Mart Franchise Litigation (MDL-108);\* AMF Computerized Cash Register Contracts Litigation (MDL-130).
- <sup>13</sup> Fairland, Indiana, Air Disaster Litigation (MDL-30); Aviation Products Liability Litigation (MDL-104).
- <sup>14</sup> Grain Shipment Litigation (MDL-22); Silver Plume, Colorado, Air Disaster Litigation (MDL-112); Clinton Oil Company Securities Litigation (MDL-137);\* Natural Resources, Inc. Securities Litigation (MDL-149).\*
- <sup>15</sup> Constance, Kentucky, Air Disasters Litigations (MDL-8A & 8B).
- <sup>16</sup> Plywood Antitrust Litigation (MDL-159).\*
- <sup>17</sup> Kaehni Patent Litigation (MDL-36).
- <sup>18</sup> Revenue Properties Company Securities Litigation (MDL-32);\* CBS Color Tube Patent Litigation (MDL-69); Kauffman Mutual Fund Litigation (MDL-78); Evergreen Valley Project Litigation (MDL-122); Viatron Computer Systems Corp. Securities Litigation (MDL-138);\* Boston, Massachusetts Air Disaster Litigation (MDL-160).
- <sup>19</sup> Willingham Patent Litigation (MDL-60).
- <sup>20</sup> Antibiotic Drug Litigation (Non-settling Cases) (MDL-10);\* IBM Antitrust Litigation (MDL-18).
- <sup>21</sup> Grain Shipment Litigation (No. II) (MDL-22A);\* International House of Pancakes Franchise Litigation (MDL-77); Midwest Milk Monopolization Litigation (MDL-83);\* Transit Company Tire Antitrust Litigation (MDL-111);\* Cessna Aircraft Distributorship Antitrust Litigation (MDL-123).
- <sup>22</sup> Hanover, New Hampshire, Air Disaster Litigation (MDL-43); Burlington, Vermont, Air Disaster Litigation (MDL-132).
- <sup>23</sup> Fourth Class Postage Regulation Litigation (MDL-16).
- <sup>24</sup> Litigation Involving Welch & Morgan (MDL-71).
- <sup>25</sup> Protection Device Antitrust Litigation (MDL-9); Antibiotic Drug Litigation (Settling Cases) (MDL-10); Seeburg-Commonwealth United Litigation (MDL-37); Penn Central Commercial Paper Litigation (MDL-56A); Carrom Trademark Litigation (MDL-61); Brown Company Securities Litigation (MDL-67); Value Line Special Situation Fund Litigation (MDL-75); Madison Fund, Inc. Securities Litigation (MDL-87); Texas Gulf Sulphur Securities Litigation (MDL-100);\* Caesars Palace Securities Litigation (MDL-110);\* Atlantic Department Stores, Inc. Litigation (MDL-113);\* Stirling Homex Corporation Securities Litigation (MDL-126);\* General Adjustment Bureau Antitrust Litigation (MDL-127);\* Banking Agreements with Stirling Homex Corporation (MDL-133).
- <sup>26</sup> Staines, England, Air Disaster Litigation (MDL-147).
- <sup>27</sup> Hendersonville, N.C., Air Disaster Litigation (MDL-13).
- <sup>28</sup> Refrigerant Gas Antitrust Litigation (MDL-76).
- <sup>29</sup> Dayton, Ohio, Air Disaster Litigation (MDL-38).
- <sup>30</sup> Home Stake Production Companies Securities Litigation (MDL-153).\*
- <sup>31</sup> Ardmore, Oklahoma Air Disaster Litigation (MDL-11).
- <sup>32</sup> Four Seasons Securities Laws Litigation (MDL-55); Wheat Farmers Antitrust Class Action Litigation (MDL-129).\*
- <sup>33</sup> Plumbing Fixtures Litigation (MDL-3); Concrete Pipe Antitrust Litigation (MDL-12); Penn Central Securities Litigation (MDL-56); CBS Licensing Antitrust Litigation (MDL-59); REA Express, Inc. Private Truble Damage Litigation (MDL-115); Professional Hockey Antitrust Litigation (MDL-119); Pellston, Michigan, Air Disaster Litigation (MDL-125); Pittsburgh & Lake Erie RR Co. Securities & Antitrust Litigation. (MDL-134).
- <sup>34</sup> Sues Patent Infringement Litigation (MDL-74); Glenn W. Turner Enterprises Litigation (MDL-109).\*
- <sup>35</sup> San Juan, Puerto Rico, Air Disaster Litigation (MDL-47).
- <sup>36</sup> New Orleans, Louisiana, Air Disaster Litigation (MDL-64).
- <sup>37</sup> Las Vegas, Nevada, Air Disaster Litigation (MDL-80); Mandeville, Louisiana, Air Disaster Litigation (MDL-84); Cameco Patent Infringement Litigation (MDL-101).
- <sup>38</sup> Westec Corporation Litigation (MDL-27).
- <sup>39</sup> Atlantic City, New Jersey, Air Disaster Litigation (MDL-114); Boise Cascade Securities Litigation (MDL-128);\* West Coast Bakery Flour Antitrust Litigation (MDL-146).

(Continued)

<sup>40</sup> Silver Bridge Disaster Litigation (MDL-39); Huntington, West Virginia, Air Disaster Litigation (MDL-94).

<sup>41</sup> Career Academy Antitrust Litigation (MDL-98); Clark Oil & Refining Corporation Antitrust Litigation (MDL-140).

\*Denotes allegation of a class action under rule 23, "Federal Rules of Civil Procedure."

NOTE.—MDL refers to Multidistrict Litigation Panel number which is common to all civil cases transferred by the Judicial Panel under provisions of 28 U.S.C. 1407.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1975

### Transfer of Cases Under 28 U.S.C. 1407

During the fiscal year, the Judicial Panel on Multidistrict Litigation transferred 255 civil actions which were originally filed in 50 different district courts to 28 transferee district courts. In 1974, 354 civil cases were transferred from 56 district courts to 20 transferee districts for the purpose of coordinated or consolidated pretrial proceedings. In 1973, 224 actions filed in 46 different district courts were transferred by the Panel to 20 transferee district courts.

The district judges to whom actions have been assigned by the Panel have the responsibility of conducting coordinated or consolidated pretrial proceedings in those actions. Unless an action is closed in the transferee court or ordered transferred by the transferee judge to the transferee or other district under 28 U.S.C. 1404(a) or 28 U.S.C. 1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established the Panel, there have been 2,239 transfers of civil actions to which were joined 1,678 civil actions originally filed in the districts receiving the transfers. Thus, 3,917 cases have been a part of Section 1407 pretrial proceedings in the 48 different transferee district courts from 1968 through June 30, 1975. To date, 2,526 have either been remanded by the Panel or terminated by the transferee courts.

The following tables provide statistics on the number of cases transferred since the Panel was enacted, and the flow of cases into and out of individual districts for both fiscal year 1975 and cumulatively for the entire period since 1968. The list accompanying Table 44 identifies those cases transferred in 1975.

TABLE 43.—Summary of Multidistrict Litigation Under 28 U.S.C. Sec. 1407

	As of 7/1/74	During FY 1975	As of 6/30/75
Cases transferred.....	1,984	255	2,239
Cases originally filed in transferee districts.....	1,454	224	1,678
<b>TOTAL CASES SUBJECTED TO SECTION 1407 PROCEEDINGS.....</b>	<b>3,438</b>	<b>479</b>	<b>3,917</b>
Cases terminated by transferee courts or actions remanded by the panel.....	(1,954)	(572)	(2,526)*
<b>TOTAL CASES PENDING AND SUBJECTED TO SECTION 1407 PROCEEDINGS.....</b>	<b>1,484</b>		<b>1,391</b>

\* Includes a total of 111 cases which have been remanded by the Panel and 21 cases reassigned to transferor judges within the transferee district.

TABLE 44.—Number and Types of Cases Transferred by Order of the Judicial Panel on Multidistrict Litigation  
Fiscal Year 1975 & Cumulative From 7/7/68 to Date

Circuit and district	Index to cases	Fiscal year 1975			Cumulative 1968-1975		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net change	Into district	Out of district	Net change
<b>Total .....</b>		255	255	0	2,239	2,239	0
District of Columbia.....	1	2	1	1	76	37	39
First Circuit.....		13	7	6	122	70	52
Maine.....		-	-	0	-	2	-2
Massachusetts.....	2	13	4	9	76	45	31
New Hampshire.....		-	1	-1	27	12	15
Rhode Island.....		-	2	-2	-	3	-3
Puerto Rico.....		-	-	0	19	8	11
Second Circuit.....		31	34	-3	253	542	-289
Connecticut.....	3	1	1	0	18	10	8
New York:							
Northern.....		-	-	0	2	4	-2
Eastern.....	4	5	3	-2	9	46	-37
Southern.....	5	25	30	-5	224	441	-217
Western.....		-	-	0	-	5	-5
Vermont.....		-	-	0	-	36	-36
Third Circuit.....		4	20	-16	565	174	391
Delaware.....		-	2	-2	2	9	-7
New Jersey.....		-	8	-8	10	31	-21
Pennsylvania:							
Eastern.....	6	2	5	-3	496	83	413
Middle.....		-	4	-4	-	26	-26
Western.....	7	2	1	1	57	25	2

TABLE 44.—Number and Types of Cases Transferred by Order of the Judicial Panel on Multidistrict Litigation  
Fiscal Year 1975 & Cumulative From 7/7/68 to Date (Continued)

Circuit and district	Index to cases	Fiscal year 1975			Cumulative 1968-1975		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net change	Into district	Out of district	Net change
Fourth Circuit .....		20	15	5	74	95	-21
Maryland.....		-	2	-2	5	35	-30
North Carolina:							
Eastern.....		-	-	0	-	6	-6
Middle.....		-	-	0	-	5	-5
Western.....	8	13	-	13	15	1	14
South Carolina.....		-	9	-9	-	17	-17
Virginia:							
Eastern.....	9	7	4	3	7	25	-18
Western.....		-	-	0	-	2	-2
West Virginia:							
Northern.....		-	-	0	-	1	-1
Southern.....		-	-	0	47	3	44
Fifth Circuit.....		23	31	-8	121	181	-60
Alabama:							
Northern.....		-	1	-1	33	13	+20
Middle.....		-	-	0	0	3	-3
Southern.....		-	-	0	-	10	-10
Florida:							
Northern.....		-	-	0	0	3	-3
Middle.....		-	1	-1	1	8	-7
Southern.....	10	12	5	7	57	27	30
Georgia:							
Northern.....		-	2	-2	-	12	-12
Middle.....		-	-	0	-	-	-
Southern.....		-	-	0	-	2	-2
Louisiana:							
Eastern.....	11	7	2	5	10	12	-2
Middle.....		-	-	0	-	-	-
Western.....		-	-	0	-	3	-3
Mississippi:							
Northern.....		-	-	0	-	-	0
Southern.....		-	-	0	-	2	-2
Texas:							
Northern.....		-	9	-9	12	48	-36
Eastern.....	12	1	1	0	1	2	-1
Southern.....		-	10	-10	4	32	-28
Western.....	13	3	-	3	3	4	-1
Sixth Circuit.....		11	9	2	82	178	-96
Kentucky:							
Eastern.....		-	-	0	54	12	42
Western.....		-	1	-1	-	5	-5
Michigan:							
Eastern.....	14	7	2	5	8	31	-23
Western.....		-	-	0	-	3	-3
Ohio:							
Northern.....	15	1	1	0	5	21	-16
Southern.....		-	1	-1	6	86	-80
Tennessee:							
Eastern.....	16	2	-	2	2	4	-2
Middle.....	17	1	2	-1	1	6	-5
Western.....		-	2	-2	6	10	-4
Seventh Circuit.....		5	27	-22	297	280	17
Illinois:							
Northern.....	18	5	26	-21	211	243	-32
Eastern.....		-	-	0	-	-	0
Southern.....		-	-	0	-	1	-1
Indiana:							
Northern.....		-	1	-1	-	7	-7
Southern.....		-	-	0	81	5	76
Wisconsin:							
Eastern.....		-	-	0	5	17	-12
Western.....		-	-	0	-	7	-7

TABLE 44.—Number and Types of Cases Transferred by Order of the Judicial Panel on Multidistrict Litigation  
Fiscal Year 1975 & Cumulative From 7/7/68 to Date (Concluded)

Circuit and district	Index to cases	Fiscal year 1975			Cumulative 1968-1975		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net change	Into district	Out of district	Net change
Eighth Circuit .....		16	10	6	69	122	-53
Arkansas:							
Eastern .....		-	1	-1	-	6	-6
Western .....		-	-	0	-	1	-1
Iowa:							
Northern .....		-	-	0	-	1	-1
Southern .....	19	3	-	3	3	6	-3
Minnesota .....	20	4	4	0	15	42	-27
Missouri:							
Eastern .....		-	1	-1	-	22	-22
Western .....	21	9	4	5	51	27	24
Nebraska .....		-	-	0	-	14	-14
North Dakota .....		-	-	0	-	-	0
South Dakota .....		-	-	0	-	3	-3
Ninth Circuit .....		126	66	60	455	465	-10
Alaska .....		-	1	-1	-	34	-34
Arizona .....		-	1	-1	3	21	-18
California:							
Northern .....	22	23	41	-18	188	219	-31
Eastern .....		-	-	0	-	6	-6
Central .....	23	95	9	86	240	83	157
Southern .....	24	3	2	1	11	15	-4
Hawaii .....		-	1	-1	-	2	-2
Idaho .....	25	2	-	2	2	3	-1
Montana .....		-	-	0	-	2	-2
Nevada .....		-	1	-1	-	6	-6
Oregon .....		-	1	-1	-	19	-19
Washington:							
Eastern .....		-	1	-1	-	1	-1
Western .....	26	3	8	-5	11	54	-43
Tenth Circuit .....		4	35	-31	125	95	30
Colorado .....	27	1	2	-1	10	15	-5
Kansas .....		-	3	-3	70	23	+47
New Mexico .....		-	1	-1	-	1	-1
Oklahoma:							
Northern .....		-	-	0	3	4	-1
Eastern .....		-	-	0	7	0	7
Western .....	28	3	1	2	35	10	25
Utah .....		-	28	-28	-	42	-42
Wyoming .....		-	-	0	-	-	0

### Index To Cases — Fiscal Year 1975

<sup>1</sup>Griseofulvin Antitrust Litigation (MDL-205).

<sup>2</sup>Boston, Massachusetts, Air Disaster Litigation (MDL-160); Susquehanna Corporation Securities Litigation (MDL-197).

<sup>3</sup>Petroleum Product Antitrust Litigation (MDL-150).\*

<sup>4</sup>Staines, England, Air Disaster Litigation (MDL-147); Franklin National Bank Securities Litigation (MDL-196).

<sup>5</sup>Stirling Homex Corporation Securities Litigation (MDL-126)\*; Scientific Control Corporation Securities Litigation (MDL-157)\*; Molinaro/Catanzaro Patent Litigation (MDL-170); Republic National - Realty Equities Securities Litigation (MDL-174)\*; Amerada Hess Corporation Antitrust Litigation (MDL-192).\*

<sup>6</sup>REA Express, Inc. Private Treble Damage Litigation (MDL-115); Japanese Electronic Products Antitrust Litigation (MDL-189).

<sup>7</sup>Suess Patent Infringement Litigation (MDL-74); Glenn W. Turner Enterprises Litigation (MDL-109).

<sup>8</sup>Charlotte, N.C., Air Disaster Litigation (MDL-202).

<sup>9</sup>Industrial Wine Contracts Securities Litigation (MDL-188); Eastern Air Lines, Inc. Flight Attendant Weight Program Litigation (MDL-195)\*; Upperville, Virginia, Air Disaster Litigation (MDL-199).

- <sup>10</sup>Nissan Motor Corp. Antitrust Litigation (MDL-120).\*
- <sup>11</sup>Plywood Antitrust Litigation (MDL-159).\*
- <sup>12</sup>L. E. Lay & Co., Inc. Antitrust Litigation (MDL-187).\*
- <sup>13</sup>Roadway Express Employment Practices Litigation (MDL-155).\*
- <sup>14</sup>Toilet Seat Antitrust Litigation (MDL-184).\*
- <sup>15</sup>The Triax Company Patent Litigation (MDL-182).
- <sup>16</sup>Chattanooga, Tennessee, Air Disaster Litigation (MDL-200).
- <sup>17</sup>Warehouse Construction Contract Litigation (MDL-180).
- <sup>18</sup>Government Auto Fleet Sales Antitrust Litigation (MDL-65)\*; Mt. McKinley National Park, Alaska, Auto Disaster Litigation (MDL-203).
- <sup>19</sup>Alodex Corporation Securities Litigation (MDL-165).
- <sup>20</sup>Antibiotic Drug Litigation (Non-Settling Cases) (MDL-10).\*
- <sup>21</sup>Midwest Milk Monopolization Litigation (MDL-83)\*; Transit Company Tire Antitrust Litigation (MDL-111).\*
- <sup>22</sup>Holiday Magic Securities & Antitrust Litigation (MDL-124)\*; IBM Peripheral EDP Devices Antitrust Litigation (MDL-163); Gas Vent Pipe Antitrust Litigation (MDL-171)\*; Air West, Inc. Securities Litigation (MDL-177)\*; Sugar Antitrust Litigation (MDL-201).\*
- <sup>23</sup>Equity Funding Corporation of America Litigation (MDL-142)\*; Paris, France, Air Disaster Litigation (MDL-172); Pago Pago, American Samoa, Air Disaster Litigation (MDL-176); Pennsylvania Life Company Securities Litigation (MDL-183)\*; Papeete, Tahiti, Air Disaster Litigation (MDL-206).
- <sup>24</sup>U.S. Financial Securities Litigation (MDL-161).\*
- <sup>25</sup>Peruvian Road Litigation (MDL-167).
- <sup>26</sup>West Coast Bakery Flour Antitrust Litigation (MDL-146); Mack Truck, Inc. Antitrust Litigation (MDL-178).
- <sup>27</sup>King Resources Company Securities Litigation (MDL-79).\*
- <sup>28</sup>Four Seasons Securities Laws Litigation (MDL-55); Wheat Farmers Antitrust Class Action Litigation (MDL-129).\*

\* Denotes allegation of a class action under Rule 23, *Federal Rules of Civil Procedure*.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1976

*TRANSFERS OF CASES UNDER 28 U.S.C. 1407*

During the twelve months ended June 30, 1976, the Judicial Panel on Multidistrict Litigation transferred 491 civil actions which were originally filed in 69 different district courts to 24 transferee district courts. In 1975, 255 civil cases were transferred from 50 district courts to 28 transferee districts for the purpose of coordinated or consolidated pretrial proceedings.

The district judges to whom actions have been assigned by the Panel have the responsibility of conducting coordinated or consolidated pretrial proceedings in those actions. Unless an action is closed in the transferee court or ordered transferred by the transferee judge to the transferor or other district under 28 U.S.C. 1404(a) or 28 U.S.C. 1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established the Panel, there have been 2,730 transfers of civil actions to which were joined 2,233 civil actions originally filed in the districts receiving the transfers. Thus, 4,963 cases have been a part of Section 1407 pretrial proceedings in the 53 different transferee district courts from 1968 through June 30, 1976. To date, 2,811 have either been remanded by the Panel or terminated by the transferee courts.

The following tables provide statistics on the number of cases transferred since the Panel was enacted, and the flow of cases into and out of individual districts for both fiscal year 1976 and cumulatively for the entire period since 1968. The list accompanying the latter table identifies those cases transferred in the twelve month period ended June 30, 1976.

TABLE 43  
Summary Of Multidistrict Litigation

	As of 7/ 1/75	During FY 1976	As of 6/30/76
Actions Transferred	2,239	491	2,730
Actions Originally Filed in Transferee Districts	1,678	555	2,233
TOTAL ACTIONS SUBJECTED TO SECTION 1407 PROCEEDINGS	3,917	1,046	4,963
Actions Terminated by Trans- feree Courts or Actions Remanded by the Panel	2,526	285	2,811 *
TOTAL ACTIONS PRESENTLY PENDING AND SUBJECTED TO SECTION 1407 PROCEEDINGS	1,391		2,152

\* Includes a total of 114 actions which have been remanded by the Panel and 21 actions reassigned to transferor judges within the transferee district.

**TABLE 44**  
**NUMBER AND TYPES OF CASES TRANSFERRED BY ORDER OF**  
**THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**  
**FISCAL YEAR 1976 & CUMULATIVE FROM 9/68 TO DATE**

Circuit and district	Index to 1976 cases	Fiscal year 1976			Cumulative 1968-1976		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net Change	Into district	Out of district	Net Change
Total.....		491	491	-	2,730	2,730	-
District of Columbia.....	1	18	7	+11	94	44	+50
First Circuit.....		4	24	-20	125	94	+31
Maine.....		-	-	-	-	2	-2
Massachusetts.....	2	4	16	-12	79	61	+18
New Hampshire.....		-	5	-5	27	17	+10
Rhode Island.....		-	3	-3	-	6	-6
Puerto Rico.....		-	-	-	19	8	+11
Second Circuit.....		75	63	+12	330	605	-275
Connecticut.....	5	-	3	-3	19	13	+6
New York:							
Northern.....		-	1	-1	2	5	-3
Eastern.....	7	61	12	+49	70	58	+12
Southern.....	8	14	45	-31	239	486	-247
Western.....		-	2	-2	-	7	-7
Vermont.....		-	-	-	-	36	-36
Third Circuit.....		3	29	-26	568	203	+365
Delaware.....		-	3	-3	2	12	-10
New Jersey.....		-	7	-7	10	38	-28
Pennsylvania:							
Eastern.....	11	2	15	-13	498	98	+400
Middle.....		-	2	-2	-	28	-28
Western.....	12	1	-	-1	58	27	+31
Virgin Islands.....		-	-	-	-	-	-
Fourth Circuit.....		33	39	-6	108	134	-26
Maryland.....		-	9	-9	6	44	-38
North Carolina:							
Eastern.....		-	4	-4	-	10	-10
Middle.....	14	3	7	-4	3	12	-9
Western.....	15	9	6	+3	24	7	+17
South Carolina.....		-	8	-8	-	25	-25
Virginia:							
Eastern.....	16	21	3	+18	28	28	-
Western.....		-	2	-2	-	4	-4
West Virginia:							
Northern.....		-	-	-	-	1	-1
Southern.....		-	-	-	47	3	+44
Fifth Circuit.....		29	93	-64	150	274	-124
Alabama:							
Northern.....		-	16	-16	33	29	+4
Middle.....		-	-	-	-	3	-3
Southern.....		-	-	-	-	10	-10
Florida:							
Northern.....		-	2	-2	-	5	-5
Middle.....		-	5	-5	1	13	-12
Southern.....	20	15	5	+10	72	32	+40
Georgia:							
Northern.....	21	6	9	-3	6	21	-15
Middle.....		-	-	-	-	-	-
Southern.....		-	-	-	-	2	-2
Louisiana:							
Eastern.....	22	2	29	-27	12	41	-29
Middle.....		-	3	-3	-	3	-3
Western.....	23	6	4	+2	6	7	-1
Mississippi:							
Northern.....		-	-	-	-	-	-
Southern.....		-	2	-2	-	4	-4
Texas:							
Northern.....		-	8	-8	12	56	-44
Eastern.....		-	2	-2	1	4	-3
Southern.....		-	5	-5	4	37	-33
Western.....		-	3	-3	3	7	-4

TABLE 44  
 NUMBER AND TYPES OF CASES TRANSFERRED BY ORDER OF  
 THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION  
 FISCAL YEAR 1976 & CUMULATIVE FROM 9/68 TO DATE

Circuit and district	Index to 1976 cases	Fiscal year 1976			Cumulative 1968-1976		
		Actions transferred			Actions transferred		
		Into district	Out of district	Net Change	Into district	Out of district	Net Change
Sixth Circuit.....		-	52	-52	81	230	-149
Kentucky:							
Eastern.....		-	-	-	53	12	+41
Western.....		-	-	-	-	5	-5
Michigan:							
Eastern.....		-	5	-5	8	36	-28
Western.....		-	3	-3	-	6	-6
Ohio:							
Northern.....		-	25	-25	5	46	-41
Southern.....		-	6	-6	6	92	-86
Tennessee:							
Eastern.....		-	3	-3	2	7	-5
Middle.....		-	1	-1	1	7	-6
Western.....		-	9	-9	6	19	-13
Seventh Circuit.....		23	33	-10	320	313	+7
Illinois:							
Northern.....	35	23	22	+1	234	265	-31
Eastern.....		-	2	-2	-	2	-2
Southern.....		-	2	-2	-	3	-3
Indiana:							
Northern.....		-	1	-1	-	8	-8
Southern.....		-	5	-5	81	10	+71
Wisconsin:							
Eastern.....		-	1	-1	5	18	-13
Western.....		-	-	-	-	7	-7
Eighth Circuit.....		20	30	-10	89	152	-63
Arkansas:							
Eastern.....		-	1	-1	-	7	-7
Western.....		-	-	-	-	1	-1
Iowa:							
Northern.....		-	-	-	-	1	-1
Southern.....		-	-	-	3	6	-3
Minnesota:	39	9	20	-15	20	62	-42
Missouri:							
Eastern.....	40	2	3	-1	2	25	-23
Western.....	41	13	4	+9	64	31	+33
Nebraska.....		-	2	-2	-	16	-16
North Dakota.....		-	-	-	-	-	-
South Dakota.....		-	-	-	-	3	-3
Ninth Circuit.....		97	96	+1	551	561	-10
Alaska.....		-	-	-	-	34	-34
Arizona.....		-	3	-3	3	24	-21
California:							
Northern.....	43	41	32	+9	229	251	-22
Eastern.....	44	8	2	+6	8	8	-
Central.....	45	46	27	+19	285	110	+175
Southern.....	46	1	1	-	12	16	-4
Hawaii.....		-	7	-7	-	9	-9
Idaho.....		-	2	-2	2	5	-3
Montana.....		-	1	-1	-	3	-3
Nevada.....		-	7	-7	-	13	-13
Oregon.....		-	8	-8	-	27	-27
Washington:							
Eastern.....		-	3	-3	-	4	-4
Western.....	48	1	3	-2	12	57	-45
Guam.....		-	-	-	-	-	-
Tenth Circuit.....		189	25	+164	314	120	+194
Colorado.....		-	10	-10	10	25	-15
Kansas.....	50	186	6	+180	256	29	+227
New Mexico.....		-	1	-1	-	2	-2
Oklahoma:							
Northern.....	51	3	2	+1	6	6	-
Eastern.....		-	-	-	7	-	+7
Western.....		-	5	-5	35	15	+20
Utah.....		-	1	-1	-	43	-43
Wyoming.....		-	-	-	-	-	-

INDEX TO CASES F.Y. 1976

1. National Student Marketing Litigation (MDL-105)  
Radiation Incident at Washington, D.C. on April 5, 1974 (MDL-213)\*  
Saigon, South Vietnam Air Disaster Litigation (MDL-221)\*
2. Boston, Massachusetts, Air Disaster Litigation (MDL-160)
5. Petroleum Product Antitrust Litigation (MDL-150)\*
7. J. F. Kennedy International Airport Air Disaster Litigation (MDL-227)
8. Stirling Homex Corporation Securities Litigation (MDL-126)\*  
Molinaro/Catanzaro Patent Litigation (MDL-170)  
Republic National - Realty Equities Securities Litigation (MDL-174)\*  
Ionian Sea Air Disaster Litigation (MDL-229)  
Haven Industries, Inc. Securities Litigation (MDL-246)  
Generics Corp. of America Securities Litigation (MDL-251)\*
11. Sugar Industry Antitrust Litigation (East Coast) (MDL-201A)\*
12. Glenn W. Turner Enterprises Litigation (MDL-109)\*
14. Joseph F. Smith Patent Litigation (MDL-232)
15. Charlotte, N.C., Air Disaster Litigation (MDL-202)  
Panty Hose Seaming Patent Litigation (MDL-209)
16. Upperville, Virginia, Air Disaster Litigation (MDL-199)  
Westinghouse Electric Corp. Uranium Contract Litigation (MDL-235)  
Western Electric Co., Inc. Semiconductor Patent Litigation (MDL-244)
20. Nissan Motor Corp. Antitrust Litigation (MDL-120)\*  
Bestline Products Securities & Antitrust Litigation (MDL-162)\*  
National Airlines, Inc. Maternity Leave Practices and Flight  
Attendant Weight Program Litigation (MDL-218)\*
21. Ryder Truck Lines, Inc. Employment Practices Litigation (MDL-220)\*  
Chicken "Broiler" Antitrust Litigation (MDL-237)
22. Plywood Antitrust Litigation (MDL-159)\*
23. Nathitoches Parish, Louisiana, Air Louisiana, Air Disaster Litigation (MDL-193)
35. Mt. McKinley Nat'l Park, Alaska, Auto Disaster Litigation (MDL-203)  
Transocean Tender Offer Securities Litigation (MDL-223)\*  
Folding Carton Antitrust Litigation (MDL-250)\*
39. Antibiotic Drug Litigation (Non-Settling Cases) (MDL-10)\*  
Celotex "Technifoam" Products Liability Litigation (MDL-210)  
Olympia Brewing Co. Antitrust and Contract Litigation (MDL-242)
40. Southwestern Bell Telephone Co. Maternity Benefits Litigation (MDL-216)\*
41. International House of Pancakes Franchise Litigation (MDL-77)  
Midwest Milk Monopolization Litigation (MDL-83)\*  
Piper Aircraft Distribution System Antitrust Litigation (MDL-217)  
Warhead Explosion Aboard USS NEWPORT NEWS (MDL-243)\*
43. Sta-Power Industries, Inc. Securities & Antitrust Litigation (MDL-151)\*  
IBM Peripheral EDP Devices Antitrust Litigation (MDL-163)  
Air West, Inc. Securities Litigation (MDL-177)\*  
Sugar Antitrust Litigation (MDL-201)\*
44. Bomb Disaster at Roseville, California (MDL-207)
45. Equity Funding Corp. of America Litigation (MDL-142)\*  
Paris, France, Air Disaster Litigation (MDL-172)  
Pago Pago, American Samoa, Air Disaster Litigation (MDL-176)  
Pennsylvania Life Company Securities Litigation (MDL-183)\*  
Papeete, Tahiti, Air Disaster Litigation (MDL-206)  
Bali, Indonesia, Air Disaster Litigation (MDL-215)  
The "Exorcist" Copyright Litigation (MDL-239)
46. U. S. Financial Securities Litigation (MDL-161)\*
48. West Coast Bakery Flour Antitrust Litigation (MDL-178)
50. A. H. Robins Co., Inc. "Dalkon Shield" IUD Products Liability  
Litigation (MDL-211)
51. Palizzio, Inc. Antitrust Litigation (MDL-233)

\* Denotes allegation of a class action under Rule 23,  
Federal Rules of Procedure.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1977

*TRANSFER OF CASES UNDER 28 U.S.C. §1407*

During the twelve months ending June 30, 1977, the Judicial Panel on Multidistrict Litigation transferred 345 civil actions which were originally filed in 69 different districts courts to 24 transferee district courts. In 1976, 491 civil cases were transferred from 69 different district courts to 24 transferee districts for the purpose of coordinated or consolidated pretrial proceedings.

The district judges to whom actions have been assigned by the Panel have the responsibility of conducting coordinated or consolidated pretrial proceedings in those actions. Unless an action is closed in the transferee court or ordered transferred by the transferee judge to the transferor court or other district under 28 U.S.C. §1404(a) or 28 U.S.C. §1406, each of the transferred actions will, at the conclusion of pretrial proceedings, be remanded by the Panel for trial to the district where the action was originally filed.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established Section 1407 and the Panel, there have been 3,075 transfers of civil actions to which were joined 2,498 civil actions originally filed in the districts receiving the transfers. Thus, 5,573 cases have been a part of Section 1407 pretrial proceedings in the 54 different transferee districts courts from 1968 through June 30, 1977. To date, 3,381 actions have either been remanded by the Panel or terminated by the transferee courts.

The following tables (Figure 13 and Table 34) provide statistics on the number of cases transferred since the Panel was enacted, and the flow of cases into and out of individual districts for the twelve month period ending June 30, 1977, and cumulatively for the entire period since 1968. Information on specific cases transferred can be obtained by writing the Judicial Panel on Multidistrict Litigation.

**FIGURE 13**  
**SUMMARY OF MULTIDISTRICT LITIGATION AS OF JUNE 30, 1976 AND 1977**

SUMMARY OF MULTIDISTRICT LITIGATION

	As of <u>7/1/76</u>	During 12 months <u>ending 6/30/77</u>	As of <u>6/30/77</u>
Actions Transferred	2,730	345	3,075
Actions Originally Filed in Transferee Districts	<u>2,233</u>	<u>265</u>	<u>2,498</u>
TOTAL ACTIONS SUBJECTED TO SECTION 1407 PROCEEDINGS	4,963	610	5,573
Actions Terminated by Trans- feree Courts or Actions Remanded by the Panel	<u>(2,811)</u>	<u>(570)</u>	<u>(3,381)*</u>
TOTAL ACTIONS PRESENTLY PENDING AND SUBJECTED TO SECTION 1407 PROCEEDINGS	<u>2,152</u>		<u>2,192</u>

\* Includes a total of 152 actions which have been remanded by the Panel and 21 actions reassigned to transferor judges within the transferee district.

TABLE 34  
 CASES TRANSFERRED BY ORDER OF  
 THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION  
 STATISTICAL YEAR 1977 & CUMULATIVE FROM 9/68 TO DATE

Circuit and district	1977		1968-1977		Circuit and district	1977		1968-1977	
	Into District	Out of District	Into District	Out of District		Into District	Out of District	Into District	Out of District
<i>Total all districts</i>	345	345	3,075	3,075	Sixth Circuit	8	21	89	251
District of Columbia	18	7	112	51	Kentucky:				
First Circuit	1	10	126	104	Eastern	0	1	53	13
Maine	0	0	0	2	Western	0	1	0	6
Massachusetts	1	7	80	68	Michigan:				
New Hampshire	0	1	27	18	Eastern	3	6	11	42
Rhode Island	0	2	0	8	Western	0	3	0	9
Puerto Rico	0	0	19	8	Ohio:				
Second Circuit	22	42	352	647	Northern	3	3	8	49
Connecticut	0	6	19	19	Southern	0	4	6	96
New York:					Tennessee:				
Northern	0	3	2	8	Eastern	0	0	2	7
Eastern	16	5	86	63	Middle	2	1	3	8
Southern	6	24	245	510	Western	0	2	6	21
Western	0	2	0	9	Seventh Circuit	33	18	353	331
Vermont	0	2	0	38	Illinois:				
Third Circuit	12	43	580	246	Northern	33	10	267	275
Delaware	1	2	3	14	Eastern	0	0	0	2
New Jersey	5	14	15	52	Southern	0	0	0	3
Pennsylvania:					Indiana:				
Eastern	6	23	504	121	Northern	0	1	0	9
Middle	0	1	0	29	Southern	0	1	81	11
Western	0	3	58	30	Wisconsin:				
Virgin Islands	0	0	0	0	Eastern	0	3	5	21
Fourth Circuit	3	20	111	154	Western	0	3	0	10
					Eighth Circuit	9	60	99	212
					Arkansas:				
					Eastern	0	0	0	7
					Western	0	0	0	1

Maryland	2	3	8	47
North Carolina:				
Eastern	0	1	0	11
Middle	0	1	3	13
Western	0	1	24	8
South Carolina	0	1	0	26
Virginia:				
Eastern	0	3	28	31
Western	0	0	0	4
West Virginia:				
Northern	1	0	1	1
Southern	0	10	47	13
<b>Fifth Circuit</b>	<b>44</b>	<b>54</b>	<b>194</b>	<b>328</b>
Alabama:				
Northern	0	2	33	31
Middle	0	0	0	3
Southern	0	0	0	10
Florida:				
Northern	0	2	0	7
Middle	0	4	1	17
Southern	2	9	74	41
Georgia:				
Northern	4	5	10	26
Middle	0	0	0	0
Southern	0	0	0	2
Louisiana:				
Eastern	19	3	31	44
Middle	0	2	0	5
Western	0	9	6	16
Mississippi:				
Northern	0	1	0	1
Southern	0	5	0	9
Texas:				
Northern	15	4	27	60
Eastern	0	2	1	6
Southern	4	3	8	40
Western	0	3	3	10
Canal Zone	0	0	0	0

Iowa:				
Northern	0	2	0	3
Southern	0	6	3	12
Minnesota	3	38	23	100
Missouri:				
Eastern	6	2	8	27
Western	0	6	65	37
Nebraska	0	4	0	20
North Dakota	0	2	0	2
South Dakota	0	0	0	3
<b>Ninth Circuit</b>	<b>43</b>	<b>62</b>	<b>593</b>	<b>623</b>
Alaska	0	1	0	35
Arizona	0	1	3	25
California:				
Northern	19	21	248	272
Eastern	0	11	8	19
Central	23	13	307	123
Southern	0	0	12	16
Hawaii	0	8	0	17
Idaho	0	0	2	5
Montana	0	0	0	3
Nevada	0	1	0	14
Oregon	0	4	0	31
Washington:				
Eastern	0	0	0	4
Western	1	1	13	58
Guam	0	1	0	1
<b>Tenth Circuit</b>	<b>152</b>	<b>8</b>	<b>466</b>	<b>128</b>
Colorado	0	4	10	29
Kansas	151	0	407	29
New Mexico	0	0	0	2
Oklahoma:				
Northern	0	1	6	7
Eastern	0	0	7	0
Western	1	1	36	16
Utah	0	2	0	45
Wyoming	0	0	0	0

NOTE: Names of cases transferred may be obtained from the Judicial Panel on Multidistrict Litigation.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1978

### *Transfer of Cases Under U.S.C. 1407*

During the twelve months ending June 30, 1978, the Judicial Panel on Multidistrict Litigation transferred 696 civil actions which were originally filed in 81 different district courts to 28 transferee district courts. In 1977, 345 civil cases were transferred from 69 different district courts to 24 transferee districts for the purpose of coordinated or consolidated pretrial proceedings.

Table 44  
Cumulative Summary of Actions  
Subjected to 28 U.S.C. 1407 Proceedings

Actions	As of July 1, 1977	12 Month Period Ended June 30, 1978	As of June 30, 1978
Transferred	3,075	696	3,771
Originally Filed in Transferee Districts	2,498	252	2,750
Total Actions Subjected to Section 1407 Proceedings	5,573	948	6,521
Terminated By Transferee Courts or Remanded by Panel	3,381	667	*4,048
Total Actions Pending and Subjected to Section 1407 Proceedings	2,192	-	2,473

\*Includes a total of 164 actions which have been remanded by the Panel and 24 actions reassigned to transferor judges within the transferee district.

TABLE 45

CASES TRANSFERRED BY ORDER OF THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION,  
TWELVE MONTH PERIOD ENDED JUNE 30, 1978, AND CUMULATIVE FROM SEPTEMBER 1968

Circuit And District	12 Months Ending June 30, 1978		Cumulative 1968-1978		Circuit And District	12 Months Ending June 30, 1978		Cumulative 1968-1978	
	Into District	Out Of District	Into District	Out Of District		Into District	Out Of District	Into District	Out Of District
Total All Districts...	696	696	3,771	3,771	Sixth Circuit.....	12	35	101	286
District of Columbia.....	125	3	237	54	Kentucky:	-	-	53	13
First Circuit.....	-	24	126	128	Eastern.....	-	-	-	6
Maine.....	-	-	-	2	Western.....	-	-	-	-
Massachusetts.....	-	15	80	83	Michigan:	11	7	22	49
New Hampshire.....	-	1	27	19	Eastern.....	-	1	-	10
Rhode Island.....	-	5	-	13	Western.....	-	-	-	-
Puerto Rico.....	-	3	19	11	Ohio:	1	13	9	62
Second Circuit.....	208	58	560	705	Northern.....	-	5	6	101
Connecticut.....	10	14	29	33	Southern.....	-	-	-	-
New York:	-	2	2	10	Tennessee:	-	6	2	13
Northern.....	34	10	120	73	Eastern.....	-	3	3	11
Eastern.....	164	28	409	538	Middle.....	-	-	6	21
Southern.....	-	3	-	12	Western.....	-	-	-	-
Western.....	-	1	-	39	Seventh Circuit....	16	52	369	383
Vermont.....	-	-	-	-	Illinois:	16	41	283	316
Third Circuit.....	39	56	619	302	Northern.....	-	-	-	2
Delaware.....	-	3	3	17	Eastern.....	-	2	-	5
New Jersey.....	-	10	15	62	Southern.....	-	1	81	12
Pennsylvania:	29	29	533	150	Indiana:	-	-	-	-
Eastern.....	10	5	10	34	Northern.....	-	2	-	11
Middle.....	-	9	58	39	Southern.....	-	1	-	12
Western.....	-	-	-	-	Wisconsin:	-	4	5	25
Virgin Islands.....	-	-	-	-	Eastern.....	-	2	-	12
Fourth Circuit.....	30	36	141	190	Western.....	-	-	-	-
					Eighth Circuit.....	10	82	110	294
					Arkansas:	-	2	-	9
					Eastern.....	-	-	-	1
					Western.....	-	-	-	-

Maryland.....	30	4	38	51
North Carolina:				
Eastern.....	-	2	-	13
Middle.....	-	9	3	22
Western.....	-	4	24	12
South Carolina.....	-	10	-	36
Virginia:				
Eastern.....	-	5	28	36
Western.....	-	1	-	5
West Virginia:				
Northern.....	-	-	1	1
Southern.....	-	1	47	14
Fifth Circuit.....	78	84	272	412
Alabama:				
Northern.....	-	14	33	45
Middle.....	-	1	-	4
Southern.....	-	-	-	10
Florida:				
Northern.....	-	1	-	8
Middle.....	-	7	1	24
Southern.....	17	10	91	51
Georgia:				
Northern.....	13	5	23	31
Middle.....	-	-	-	-
Southern.....	-	3	-	5
Louisiana:				
Eastern.....	6	6	37	50
Middle.....	5	2	5	7
Western.....	-	3	6	19
Mississippi:				
Northern.....	-	2	-	3
Southern.....	-	3	-	12
Texas:				
Northern.....	5	4	33	64
Eastern.....	-	8	1	14
Southern.....	32	8	39	48
Western.....	-	7	3	17
Canal Zone.....	-	-	-	-

Iowa:				
Northern.....	-	3	-	6
Southern.....	-	3	3	15
Minnesota.....	3	60	27	160
Missouri:				
Eastern.....	4	2	12	19
Western.....	3	8	68	45
Nebraska.....	-	1	-	21
North Dakota.....	-	2	-	4
South Dakota.....	-	1	-	4
Ninth Circuit.....	37	243	629	866
Alaska.....	-	3	-	38
Arizona.....	1	10	4	35
California:				
Northern.....	12	60	259	332
Eastern.....	-	20	8	39
Central.....	11	109	318	232
Southern.....	-	3	12	19
Hawaii.....	4	13	4	30
Idaho.....	-	1	2	6
Montana.....	-	4	-	7
Nevada.....	-	4	-	18
Oregon.....	4	3	4	34
Washington:				
Eastern.....	-	2	-	6
Western.....	5	11	18	69
Guam.....	-	-	-	1
N. Marianas Islands.....	-	-	-	-
Tenth Circuit.....	141	23	607	151
Colorado.....	6	7	16	36
Kansas.....	134	4	541	33
New Mexico.....	-	3	-	5
Oklahoma:				
Northern.....	-	3	6	10
Eastern.....	-	1	7	1
Western.....	1	-	37	16
Utah.....	-	4	-	49
Wyoming.....	-	1	-	1

Since the enactment of the Multidistrict Litigation Act approved April 29, 1968, (Public Law 90-296), which established Section 1407 and the Panel, there have been 3,771 transfers of civil actions to which were joined 2,750 civil actions originally filed in the districts receiving the transfers. Thus, 6,521 cases have been a part of Section 1407 pretrial proceedings in the 58 different transferee district courts from 1968 through June 30, 1978. To date, 4,048 actions have either been remanded by the Panel or terminated by the transferee courts.

A look at the total workload of the Panel as of June 30, 1978, reveals that the 2,473 pending actions are distributed throughout 155 dockets. To date, 2,080 actions in those dockets have been terminated by the transferee courts or remanded by the Panel, as have 1,968 actions in 81 other dockets that have resulted in transfers under Section 1407 and have been completely closed. In addition, 875 actions in 109 groups of multidistrict litigation have been docketed by the Panel but have not been centralized under 28 U.S.C. 1407.

Table 45 provides statistics on the number of cases transferred since the Panel was enacted, and the flow of cases into and out of individual districts for the twelve month period ended June 30, 1978, and cumulatively for the entire period since 1968. Information on specific cases transferred can be obtained by writing the Judicial Panel on Multidistrict Litigation.

U.S. JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION



ANNUAL STATISTICS  
1979

*Transfer of Cases Under 28 U.S.C. 1407*

During the twelve months ending June 30, 1979, the Judicial Panel on Multidistrict Litigation transferred 936 civil actions which were originally filed in 87 different district courts to 20 transferee district courts for inclusion in coordinated or consolidated pretrial proceedings with 282 actions already pending in the transferee districts. In 1978, 696 civil cases were transferred from 81 different district courts to 28 transferee districts for the purpose of coordinated or consolidated pretrial proceedings with 252 actions already pending in the transferee districts.

The district judges to whom actions have been assigned by the Panel have the responsibility of conducting coordinated or consolidated pretrial proceedings in those actions. Unless an action is closed in the transferee court or ordered transferred by the transferee judge to the transferee court or other district under 28 U.S.C. 1404(a) or 28 U.S.C. 1406, each of the transferred actions will, at the conclusion of the coordinated or consolidated pretrial proceedings, be remanded by the Panel for trial and any other appropriate proceedings to the district from which the action was transferred by the Panel.

Since the enactment of the Multidistrict Litigation Act, approved April 29, 1968 (Public Law 90-296), which established 28 U.S.C. 1407 and the Panel, multidistrict dockets have included 4,706 transfers of civil actions and an additional 3,032 civil actions originally filed in the district receiving the transfers. Thus 7,738 cases have been a part of Section 1407 pretrial proceedings in the 59 different transferee district courts from 1968 through June 30, 1979. To date, 4,564 actions have been terminated by the transferee courts or reassigned to transferor judges within the transferee courts and 421 actions have been remanded by the Panel.

A look at the caseload in the transferee districts as of June 30, 1979, reveals that the 2,753 pending actions are distributed throughout 158 dockets. To date, 2,035 actions in those dockets have been terminated by the transferee courts or remanded by the Panel, as have 2,901 actions in 101 other

Table 43  
Cumulative Summary of Actions Subjected to 28 U.S.C. 1407 Proceedings, 1968 - 1979

Actions	As of July 1, 1978 (Adjusted)	1979	As of June 30, 1979
Transferred .....	3,770	936	4,706
Originally Filed in Transferee Districts	2,750	282	3,032
Total Subjected to Section 1407 Proceedings .....	6,520	1,218	7,738
Terminated by Transferee Courts or Remanded by the Panel .....	(4,048)	(937)	*(4,985)
Total Presently Pending and Subjected To Section 1407 Proceedings .....	2,473	-	2,753

\*Includes a total of 421 actions which have been remanded by the Panel and 40 actions reassigned to transferor judges within the transferee districts.

Table 44

Cases Transferred by Order of The Judicial Panel on Multidistrict Litigation,  
For the Twelve Month Period Ended June 30, 1979, and Cumulative From September 1968

Circuit and District	12 Months Ending June 30, 1979		Cumulative 1968-1979		Total Pending In Transferee District
	Into District	Out of District	Into District	Out of District	
Total All District . . . . .	936	936	3,771	3,771	2,473
District of Columbia . . . . .	443	2	680	56	653
First Circuit . . . . .	-	36	126	164	20
Maine . . . . .	-	2	-	4	-
Massachusetts . . . . .	-	19	80	102	20
New Hampshire . . . . .	-	4	27	23	-
Rhode Island . . . . .	-	7	-	20	-
Puerto Rico . . . . .	-	4	19	15	-
Second Circuit . . . . .	46	79	606	784	401
Connecticut . . . . .	-	8	29	41	15
New York:					
Northern . . . . .	-	4	2	14	-
Eastern . . . . .	36	16	156	89	237
Southern . . . . .	10	33	419	571	149
Western . . . . .	-	15	-	27	-
Vermont . . . . .	-	3	-	42	-
Third Circuit . . . . .	35	75	654	377	220
Delaware . . . . .	-	5	3	22	-
New Jersey . . . . .	-	38	15	100	2
Pennsylvania:					
Eastern . . . . .	35	22	568	172	163
Middle . . . . .	-	1	10	35	5
Western . . . . .	-	9	58	48	50
Virgin Islands . . . . .	-	-	-	-	-
Fourth Circuit . . . . .	-	35	141	225	46
Maryland . . . . .	-	8	38	59	36
North Carolina:					
Eastern . . . . .	-	1	-	14	-
Middle . . . . .	-	1	3	23	-
Western . . . . .	-	3	24	15	-
South Carolina . . . . .	-	5	-	41	-
Virginia:					
Eastern . . . . .	-	9	28	45	10
Western . . . . .	-	5	-	10	-
West Virginia:					
Northern . . . . .	-	2	1	3	-
Southern . . . . .	-	1	47	15	-
Fifth Circuit . . . . .	42	135	314	547	358
Alabama:					
Northern . . . . .	-	24	33	69	-
Middle . . . . .	-	3	-	7	-
Southern . . . . .	1	-	1	10	-
Florida:					
Northern . . . . .	-	2	-	10	-
Middle . . . . .	-	17	1	41	5
Southern . . . . .	12	30	103	81	53
Georgia:					
Northern . . . . .	5	6	28	37	126
Middle . . . . .	-	1	-	1	-
Southern . . . . .	-	3	-	8	-
Louisiana:					
Eastern . . . . .	1	6	38	56	34
Middle . . . . .	-	1	5	8	6
Western . . . . .	2	3	8	22	22
Mississippi:					
Northern . . . . .	-	1	-	4	-
Southern . . . . .	-	6	-	18	-
Texas:					
Northern . . . . .	5	14	38	78	20
Eastern . . . . .	-	5	1	19	-
Southern . . . . .	13	6	52	54	87
Western . . . . .	3	7	6	24	5
Canal Zone . . . . .	-	-	-	-	-

Table 44

Cases Transferred By Order of the Judicial Panel on Multidistrict Litigation,  
For the Twelve Month Period Ended June 30, 1979, and Cumulative From September 1968

Circuit and District	12 Months Ending June 30, 1979		Cumulative 1968-1979		Total Pending in Transferee District
	Into District	Out of District	Into District	Out of District	
Sixth Circuit	2	70	102	356	21
Kentucky:					
Eastern	-	-	53	13	-
Western	-	5	-	11	-
Michigan:					
Eastern	2	20	23	69	11
Western	-	8	-	18	-
Ohio:					
Northern	-	11	9	73	10
Southern	-	17	6	118	-
Tennessee:					
Eastern	-	5	2	18	-
Middle	-	1	3	12	-
Western	-	3	6	24	-
Seventh Circuit	17	54	386	437	132
Illinois:					
Northern	17	25	300	341	127
Central	-	3	-	5	-
Southern	-	1	-	6	-
Indiana:					
Northern	-	4	-	15	-
Southern	-	8	81	20	-
Wisconsin:					
Eastern	-	8	5	33	5
Western	-	5	-	17	-
Eighth Circuit	21	98	131	392	68
Arkansas:					
Eastern	-	1	-	10	-
Western	-	1	-	2	-
Iowa:					
Northern	-	6	-	12	-
Southern	-	3	3	18	-
Minnesota	3	64	30	224	7
Missouri:					
Eastern	-	4	12	33	6
Western	18	6	86	51	55
Nebraska	-	4	-	25	-
North Dakota	-	8	-	12	-
South Dakota	-	1	-	5	-
Ninth Circuit	198	306	827	1,172	567
Alaska	-	6	-	44	-
Arizona	5	10	9	45	37
California:					
Northern	12	35	271	367	175
Eastern	-	21	8	60	1
Central	4	198	322	430	146
Southern	-	6	12	25	12
Hawaii	-	12	4	42	1
Idaho	-	1	2	7	2
Montana	-	2	-	9	-
Nevada	-	2	-	20	-
Oregon	-	8	4	42	5
Washington:					
Eastern	-	2	-	8	-
Western	177	3	195	72	188
Guam	-	-	-	1	-
Northern Mariana Islands	-	-	-	-	-
Tenth Circuit	132	46	739	197	267
Colorado	-	21	16	57	-
Kansas	132	11	673	44	236
New Mexico	-	3	-	8	-
Oklahoma:					
Northern	-	2	6	12	29
Eastern	-	-	7	1	-
Western	-	-	37	16	2
Utah	-	9	-	58	-
Wyoming	-	-	-	1	-

dockets that have resulted in transfers under Section 1407 and have been completely closed. In addition, 1,003 actions in 126 groups of multidistrict litigation have been docketed by the Panel but have not been centralized under 28 U.S.C. 1407.

The accompanying tables provide statistics on the number of cases transferred since the Panel was created, and the flow of cases into and out of individual districts for the twelve month period ending June 30, 1979, and cumulatively for the entire period since 1968. Information on specific cases transferred can be obtained by writing the Judicial Panel on Multidistrict Litigation.