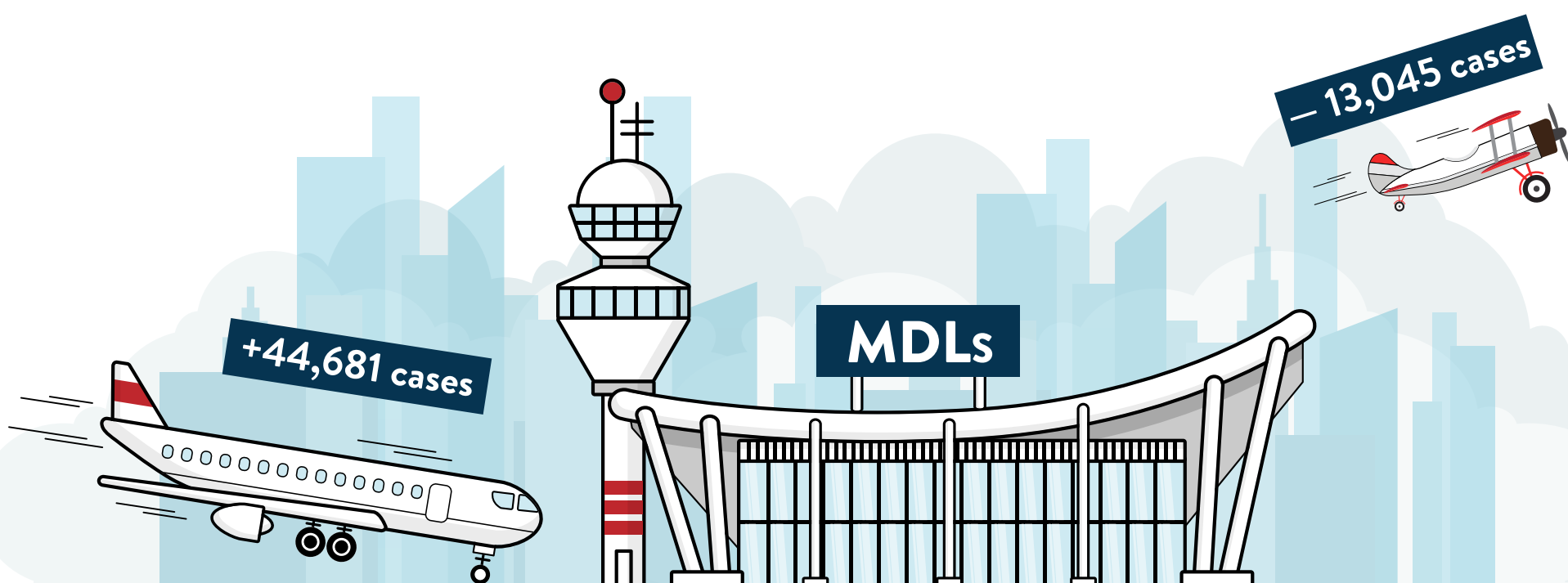


MDL CONGESTION GROWS EVEN AS CASES DEPART

Products Liability (PL) MDLs FY 2018 vs. FY 2017¹



- In FY 2017, PL MDL cases made up **89%** of cases in MDLs and **42%** of the federal civil caseload.²
- In FY 2018, PL MDL cases made up **91%** of cases in MDLs and **47%** of the federal civil caseload.³

| Top PL MDL Arrivals ⁴ | | Top PL MDL Departures ⁵ | |
|---|--------|---|---------|
| Johnson & Johnson Talcum Powder | +8,433 | Ethicon, Inc., Pelvic Repair System | - 7,974 |
| Taxotere (Docetaxel) | +7,888 | Fresenius GranuFlo/NaturaLyte Dialysate | - 958 |
| Boston Scientific Corp. Pelvic Repair System | +5,653 | Stryker Rejuvenate and ABG II Hip Implant | - 594 |
| Xarelto (Rivaroxaban) | +4,187 | Propecia (Finasteride) | - 541 |
| Proton-Pump Inhibitor (No. II) | +2,135 | Yasmin and Yaz (Drospirenone) | - 449 |

Growing congestion in MDLs adds urgency to the need for changes to the Federal Rules of Civil Procedure.

SOURCES

¹ http://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2017.pdf;
https://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf

² Based on Duke Law Center methodology. Civil cases include all cases minus Social Security and prisoner cases, except death penalty cases.
https://www.uscourts.gov/sites/default/files/data_tables/jb_c3a_0930.2017.pdf;
http://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2017.pdf

³ Based on Duke Law Center methodology. Civil cases include all cases minus Social Security and prisoner cases, except death penalty cases.
https://www.uscourts.gov/sites/default/files/data_tables/jb_c3a_0930.2018.pdf;
http://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf

⁴ http://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2017.pdf

⁵ http://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf