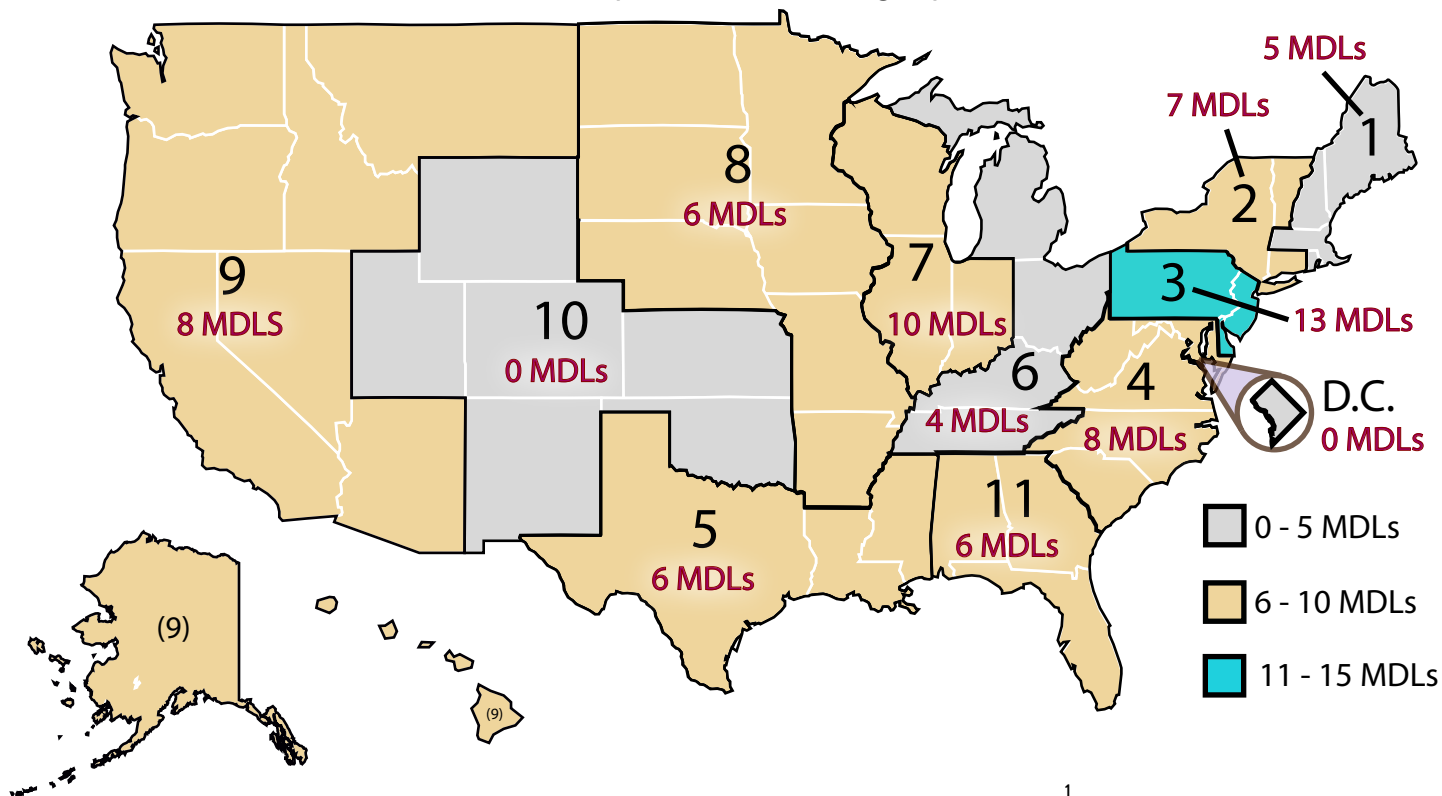


# Interlocutory Appeals in MDLs Would Not Burden Appellate Courts

Products Liability MDL Proceedings by Circuit



Products Liability MDLs by Circuit (FY 2018)<sup>1</sup>

CIRCUIT	NUMBER OF MDLs	NUMBER OF CASES IN MDLs	PERCENTAGE OF ALL CIVIL CASES <sup>2</sup>
First	5	4,090	46.6%
Second	7	1,219	5.3%
Third	13	15,300	49.6%
Fourth	8	46,022	85.9%
Fifth	6	42,273	66.2%
Sixth	4	2,124	11.1%
Seventh	10	11,230	47.5%
Eighth	6	6,991	53.1%
Ninth	8	9,398	26.2%
Tenth	0	0	0.0%
Eleventh	6	3,947	20.6%
D.C.	0	0	0.0%

Products Liability MDL cases, where the Federal Rules of Civil Procedure are often the most difficult to apply, make up a significant portion of civil cases in each U.S. circuit court of appeals - but new rules that would increase the availability of appellate review of MDL court decisions on an interlocutory basis would NOT burden the courts.

<sup>1</sup> [https://www.jpml.uscourts.gov/sites/jpml/files/JPML\\_Statistical\\_Analysis\\_of\\_Multidistrict\\_Litigation-FY-2018.pdf](https://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf)

<sup>2</sup> 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](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](http://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2018.pdf)