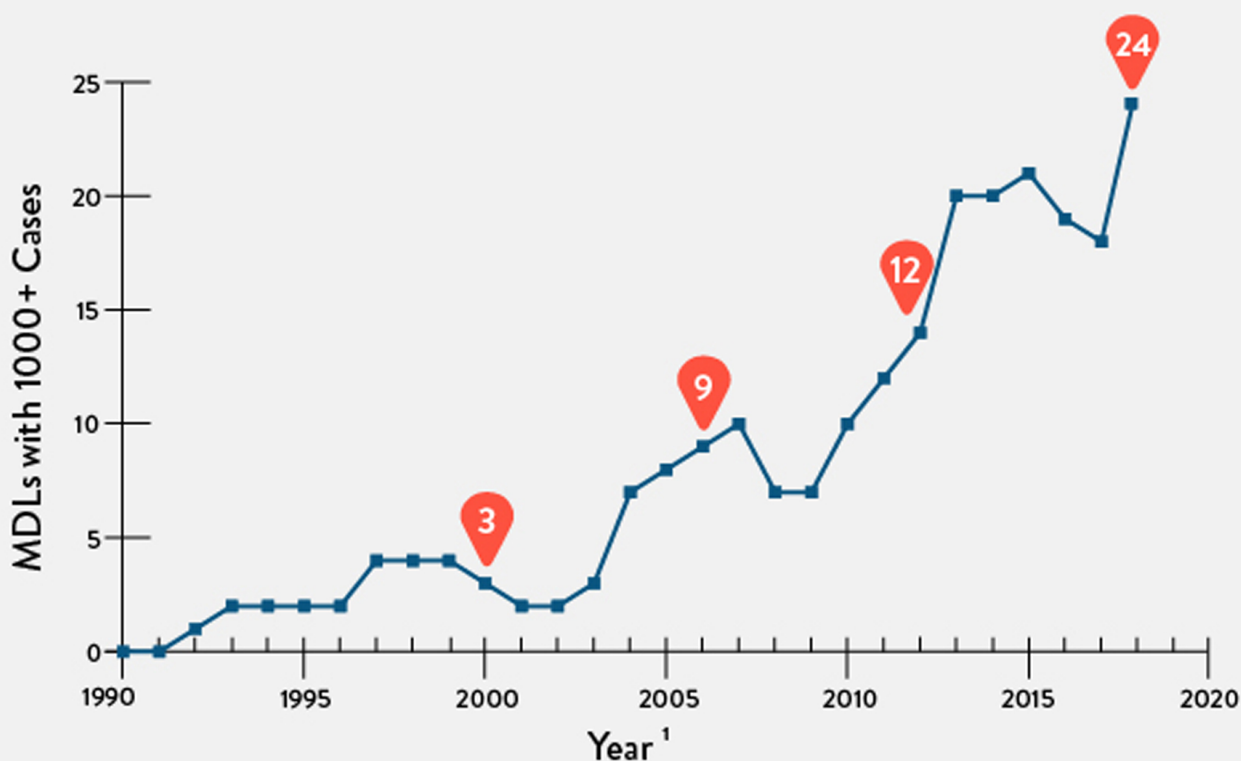


MDLs WITH 1,000+ CASES HIT RECORD HIGH



Civil Caseload: 4 in 10 Cases in Large MDLs



As of the end of fiscal year 2017, large MDLs with over 1,000 pending cases made up **40.2%** of the entire civil docket ²

As of September 2018, the 142,114 pending cases in **24** large MDLs represented **89.6%** of all pending cases in MDLs ³

Why This Matters

The FRCP are supposed to cover all cases. That's why parties involved in MDLs – which present significant procedural challenges on issues such as *discovery*, *dismissal of frivolous claims*, *joinder*, *bellwether trials*, and *interlocutory appeal* – believe rules changes are necessary, which would benefit all MDL cases.



¹ JPML data end date before 1992 is June 30; after 1992 is fiscal year September 30; 2018 data is as of September 17. <http://www.jpml.uscourts.gov/stats/cls-info>

² Based on Duke Law Center methodology. Civil cases include all cases minus Social Security and prisoner cases, except death penalty cases.

³ http://www.uscourts.gov/sites/default/files/data_tables/forms_na_dataprofile0930.2017.pdf

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

http://www.jpml.uscourts.gov/sites/jpml/files/Pending_MDL_Dockets_By_Actors_Pending-September-17-2018.pdf