UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO



MDL CASE OPENING BY ATTORNEYS

October 20, 2011

Effective December 12, 2006, attorneys can opera new MDL civil case and file a complaint electronically in the Ortho Evra Products Liability Litigation and the Welding Fume Products Liability Litigation.

Key Points to Remember

- You <u>must</u> complete the <u>entire</u> process.
- You will open the new civil case <u>and</u> file your initial document/pleading.
- The required filing fee must be paid with a credit card over the internet.
- Do **not** attempt to open the same case twice.
- <u>Never</u> hit the back button once you begin the process.
- You must attach the civil cover sheet and if applicable, the summonses as <u>separate attachments</u> to your Complaint, Notice of Removal, etc.
- Summonses will be issued electronically.

Very Important. You must change your print setting in Adobe to document and stamps in order for the court seal and signature to appear. If it is set to document or document and markups, the stamp will not appear on the printed copy.

The following instructions will walk you through the entire process.

1. LOG INTO CM/ECF

• Log into CM/ECF with your CM /ECF login and password.

Authentication
Login:
Password:
client code:
Login

• Click on Civil.



2. OPEN A NEW MDL CIVIL

• Click on Open a MDL Case.

The Open a New MDL screen appears and displays initial case filing information.

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Open a New M	DL Case							
Office 1	Case Typ	e				•		
Date filed 12/28/2	010							
Other court na	me							
Other court num	ber							
JPML num	ber							
Next Clear								

- Select the appropriate MDL case from the Case Type drop down box.
- Enter the JPML number

Do not select any of the other options on this screen unless you are filing a Notice of Removal. In that case enter the county court's name in the <u>Other court name</u> field and the county case number in the <u>Other court number</u> field.

• Click the [Next] button.

The Civil Cover Sheet (JS-44) Information screen appears displaying information typically found on the civil cover sheet (JS-44).

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Open a New MI	DL Case									
Jurisdic	tion 3 (Fee	leral Ques	tion)	-						
Cause of ac	tion 0 (No	cause co	de entered)			•				
Nature of	suit 365 (F	ersonal Ir	j. Prod. Liab	ility) 💌						
OI	r igin 1 (Orig	ginal Proc	eding)	-]					
Citizenship plai	ntiff				-					
Citizenship defen	dant				•					
Jury demand	n (None)	• Cl	ass action	n 💌	Demand	(\$000)				
Arbitration code		-	County	Allen	-					
Fee status pd (paid	i)	- Fee	date 12/2	3/2010 D a	te transfer					
Next Clear										

• Complete the JS-44 screen:

Product Liability Cases

- Jurisdiction. Select "4 (Diversity)."
- Cause of Action. Select "28:1332pl Diversity-Product Liability."
- Nature of Suit. Select "365 (Personal Inj. Prod Liability) or 367 (Personal Injury: Health Care/Pharmaceutical Personal Injury Product Liability)"
- Origin. Select the origin of the case.
- Citizenship Plaintiff. Select either "1 (Citizen of This State)" or "2 (Citizen of Another State)."
- Citizenship Defendant. Select either "4 (Incorporated/Place of Business-This State)" or "5 (Incorporated/Place of Business-Another State)"
- Jury Demand. Enter if applicable.
- Class Action. Leave blank.
- Demand. Enter the dollar amount if applicable.
- Arbitration Code. Leave blank.
- County. Enter "Cuyahoga."
- Fee Status. Leave the default "paid."
- Fee Date. Leave default date.
- Date Transfer. Leave blank.

Antitrust Litigation

- Jurisdiction. Select "3 (Federal Question)."
- Cause of Action. Select "15:1 Antitrust Litigation."
- Nature of Suite. Select "410 (Anti-Trust)."
- Origin. Select the origin of the case.
- Citizenship Plaintiff/Defendant. Leave blank.
- Jury Demand. Enter if applicable.
- Class Action. Leave blank.
- Demand. Enter the dollar amount if applicable.
- Arbitration Code. Leave blank.
- County. Enter "Cuyahoga."
- Fee Status. Leave the default "paid."
- Fee Date. Leave default date.
- Date Transfer. Leave blank.
- Click the [Next] button when the screen is complete.

• Add/Create New Party (Standard Party Guidelines attached as Appendix A)

The next screen that appears is the party search screen. The screen will allow you to enter <u>all</u> of the parties to the case. Enter the party names in the exact order they are listed the complaint. First, you must do a search to see if the party has already been entered into the CM/ECF party data base.

In the *Last/Business name field*, type the first few letters of the last name of the individual, or the business name of the party you wish to add. Click the [Search] button.

After you click the search button, the system will look for any matches to your party name entry. If a match is found, the results will display in a new window.

Open a Ci	Open a Civil Case					
Search for a	Search for a party					
Last/Busine	Last/Business name					
Search	Clear					

Scroll down the list of names to search for the party to your case. If you find a name that exactly matches the party to your case, click on it and then click the [Select name from list] button. If you do not find a name that matches the party to your case, click the [Create new party] button.

Search for a party	
Last/Business name	
Search Clear	
Party search results	
John Doe Manufacturer and/or Ha	andler 🔺
John Does 1-100	
Johns, Robert William Johnson, Howard	
Johnson, John Joseph, Jr	
Jones, Charlie	-
Select name from list	Create new party

The [Next] screen that displays will allow you to enter party specific information. Enter the Party name (if you selected Create new party), Role and Party text. Enter the entire company name in the Last name field. Choose the party role (i.e. Plaintiff, Defendant) from the pull-down list. Party text is also an option field that can be used to enter additional descriptive party information. For example, if a company name is added, party text might be "An Ohio corporation."

Do <u>not</u> add an alias or corporate parent to the party in MDL cases.

Do not add address information for the party.

• Click the [Submit] button.

Party Informati	on	
Last name	First name	
Middle name	Generation	
Title		
Role	***SELECTION REQUIRED*** (pty:)	Pro se no 💌
Prisoner Id	Office	
Unit	Address 1	
Address 2	Address 3	
City	State	Zip
County	Country	
Phone	Fax	
E-mail		
Party text		
Start date	5/12/2006	
Alias		ases and corporate fore clicking the Submit button.
Submit C	Clear	

A new party screen will display to allow you to do another party name search in the system.

• Once all the parties to your case have been entered, click the [Create Case] button.

Open a New MDL Case				
Add New Party	Create Case			
Collapse All 1:11-dp-?????	Expand All			

3. FILE THE INITIATING DOCUMENT/PLEADING

Highlight the name of the document you are filing from the drop down box.

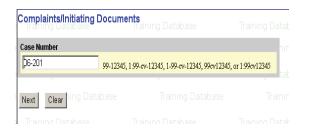
• Click the [Next] button.

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The assigned case number appears in the Case Number box.

• Click the [Next] button.



Highlight the party filing the complaint (If there is more than one party filer, you would click the names while pressing down the Control key)

• Click the [Next] button.

Complaints/Initiating Documents Iraining Database						
:06-cv-00201 Test v. Test Company						
Select the filer, Database Training Data						
Select the Party: atabase						
Test, Party [Plaintiff] Art Test Company [Defendant]	<u>ad/Create New Party</u> Training Data					
e						
je je						
Next i Clear cabase						

• Place a check mark to create an attorney/party association.

Please note: System will default for Notice but you must place a check mark in the box for "Lead" if you are lead counsel for the plaintiff(s). Do not remove the check mark in the Notice box.

• Click the [Next] button.

Complaints/Initiating Docun 5:06-cv-00201 Test v. Test Company	n ents Iraining Database 7 4	Fra
Training Database		
The following attomey/party associatic Please check which associations should		
🗹 Party Test (pty:pla) represented by	Attomey Lancy (aty) 🔽 Lead 🔽 Notice	
Next ni Clear cabase		
Training Database		

Highlight the party that this filing is against (If there is more than one defendant, you would click the names while pressing down the Control key).

• Click the [Next] button.

Complaints/Initiating Docu 5:06-cv-00201 Test v. Test Compar						
Please select the party that this filing i	lease select the party that this filing is against.					
Select the Party: ORCASE	Select a Group: aining Database					
Test, Party [Plaintiff] Test Company [Defendant]	C All Parties C All Parties C All Parties C All Parties C All Parties C All Parties					
Next ni Clear tabase						

You should convert the complaint into portable document format (PDF) before logging into CM/ECF. To tell CM/ECF where the document is located on your computer, you have to type in the exact file path and the document.

BEST PRACTICES. To avoid the chance of error, the best practice is to use the browse button to select the file.

- Click the [Browse] button to locate the PDF document on your computer.
- Clicking the [Browse] button takes you to your local hard drive or network server.

Create a folder for your District Court case files. Use a naming scheme for each of your cases that helps you identify the contents of the folder.

- Locate your pdf document (initial pleading) and right click to open the document. Make sure this is the document you want to file.
- Close your document and click on Open (the file name will appear in the file name box).
- Click Yes for attachments.
- Click the [Next] button.

Complaints/Initiating Docume 5:06-cv-00201 Test v. Test Company	nts ning Database		
Training Database			
Remember to upload the CIVIL COVE	R SHEET and any other 1	equired documents as attachmen	its to the complaint.
Select the pdf document (for example: CA) Francing Database Filename	199cv501-21.pdf). ning Database		
	Browse Ing Database		
Attachments to Document: No C Training Database	Yes ning Database		
Next Clear	Training Database	Training Database	Training

• Click the [Browse] button.

• Click the *Category* drop down menu and highlight the correct document you are attaching. (If nothing matches what you are filing, text in the descriptive wording in the *Description* text box.)

You must add any exhibits as attachments to the complaint and the civil cover sheet, summons(es), and USM 285 form, if applicable. It is not necessary to make the summonses separate attachments.

- Click the [Add to List] button
- Click the [Next] button

Complaints/Initiating Docum 5:06-cv-00201 Test v. Test Company			
Training Database	• Training Database		
Select one or more attachments.	attachment (for example: C:\appendix.pdf).		
Filename Training Database H:VAtty Case Open Documents\civil	Training Database		
Training Database () At your option, select a document ca Category Training DatabaDesc	tegory, enter a description, and select a typ ription Training Database	Training Database e. Training Database	Training Database
	v. If you have more attachments, go back to		
Training Database	v. If you have more attachments, go back to	Step 1. When the list of filenames is co	mplete, click on the Next button.
3) Add the filename to the list box below Transing Database Add to List	v. If you have more attachments, go back to Training Database	Step 1. When the list of filenames is co Training Database	mplete, click on the Next button. Training Databa

Please Note: If you have more than one attachment, the system will loop you around to add another attachment to your filing.

If filing your complaint informa pauperis do <u>**not**</u> attach the motion/application to proceed in forma pauperis to the complaint. You must file it as a separate document using the appropriate motion event.

Filing Fee Screens

If filing informa pauperis or if exempt from the filing fee, answer Y to the following question. (The screen will default to N)

Filers answering Y will bypass all payment screens.

Complaints/Initiating Docum	ents Training Database		
Training Database			
to you have - or are you requesting - in Next Clear (1100 Database	forma pauperis status for this case or an Training Database	you otherwise exempt from this fee Y/N Training Database	Training Dat

Filers answering N will get the next screen. The screen is for use by the Clerk's Office in filing complaints which were submitted on paper and paid by check or

cash. Complaints can only be filed electronically if the fee is paid by credit card while filing. The fee cannot be paid before filing electronically. Therefore, there will be no receipt number to enter.

Click the [Next] button.

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Complaints/Initiating Docur 5:06-cv-00201 Test v. Test Compan	nents Irainii			
Training Database	*			
Attorneys filing electronically must particulation of the second se	ay by credit c	ard. Do not enter in a receipt ng Database	number. Accept filing fee amount by pro	essing the next button
Receipt #:	Fee: \$350			
Training Database				
Next Clear Training Database				

The following screen will appear. Filer cannot proceed without paying by credit card.

- Fill in required information.
- Although the security code is not required, but would be used in the event of a disputed transaction. Without it, the bank may not be able to process the chargeback.
- Click [Continue with Plastic Card Payment] button.

Online Payment	Return to your originating application
Step 1: Enter Payment Information	1 2
Pay Via Plastic Card (PC) (ex: American Express, Diners Club, Discover, Mas	tercard, VISA)
Required fields are indicated with a red asterisk *	
-	
A	
Account Holder Name: Attorney Test *	
Payment Amount: \$350.00	
Billing Address: 222 Test Street *	
Billing Address 2:	
City:	
State / Province:	
Zip / Postal Code: 54321	
Country: United States	
Card Type: 🛛 sa 🔽 * 🏸 🏧 🚛 📖 🖷	VER
Card Number: 411111111111111 * (Card number value should not conta	in spaces or dashes)
Security Code: 444	ing your goouthy ondo
	ng your security code
Expiration Date: 09 💌 * / 2015 💌 *	
Select the "Continue with Plastic Card Payment" button to continue to the next ste	ep in the Plastic Card Payment Process.
Continue with Plastic Card Payment	Cancel
Continue with Haste Oald Layment	

Enter your email address if you wish to have confirmation sent to you upon completion of this transaction.

- Check the box authorizing a charge to your card account.
- Click the [Submit Payment] button.

Very Important: Do not use the back button after entering credit card information. You will not be able to complete the transaction without entering the credit card information a second time, and a second charge will occur.

Payment will be processed and you will then receive the following screen. The receipt number appearing in the docket text is generated by Pay.gov.

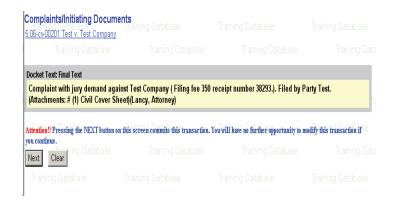
Enter any additional language in the text box, if appropriate.

Click the [Next] button

Complaints/Initiating Docum 5:06-cv-00201 Test v. Test Company	ents Training Database		
Training Database			
Docket Text: Modify as Appropriate.			
Complaint with jury demand Test. (Attachments: # (1) Civil Cover S	· · · · ·	ompany (Filing fee 350 receipt number :	38293.). Filed by Party
	// •- •/		
Training Database			
Next Clear Training Database			

CM/ECF presents the final version of the docket text to you.

• Click the [Next] button if everything is correct.



CM/ECF issues the receipt confirming that the entry has been received.

Complaints/Initiating Docume 5:06-cv-00201 Test v. Test Company	iraining Database		
Training Database			
		U.S. District Court	
	Training Database ^{Nor}	thern District of Ohio (Train)	
Notice of Electronic Filing Training Database			
The following transaction was received fro			
Case Name: Train Test v. Test Company Case Number: 5:06-cv-201	y Training Database		
Filer: Document Number: <u>1</u>			
Training Database			
Complaint with jury demand against Test (The following document(s) are associated			ney)
Document description:Main Document			
Original filename:n/a ase Electronic document Stamp:			
[STAMP OHNDStamp_ID=875560366 [Da]dc70cff951f59db5ce9e258e282b273ffdc36	c6f238e41cab5aa008683a09a107e508		
9a40a9e4289e5e5a45cb937a0471f7e1a3208. Document description: Civil Cover Sheet	234280f4122825709bc8]]		
Document description: 61vii Cover Sneet			
Original filename:n/a			
Electronic document Stamp: Tablase STAMP OHNDStamp_ID=875560366 [Da			
Original filename:n/a Electronic document Stamp: Lab ase [STAMP OHNDStamp_ID=875560366 [Da 5b82e81e17dcec87ed9e9d8a7d3e6f4c00733 45ab209a7c6ef14d3812896460527020f6e76a	te=6/20/2006] [FileNumber=20373-1] [2 5b6c5a513a655c5c9ee0bffe9ff6c149b2		

If applicable, file additional documents with the appropriate events. (i.e., Motion/Application to proceed in forma pauperis, Motion for temporary restraining order)

Please note: If an emergency filing is included with your new case filed after normal business hours, please refer to Local Rule 77.1 on how to proceed.

Clerk's Office staff will receive electronic notification of the filing and will assign a Judge and a Magistrate Judge. An electronic notice will be issued to the attorney notifying them of the judge assigned to your case.

Clerk's Office staff will issue the summons and return them to the attorney electronically.

Please Note: If service by the clerk has been requested, counsel will need to follow the steps outlined in Local Rule 4.2

APPENDIX A STANDARD PARTY GUIDELINES

1. Omit the word "The".

Examples: The Enrich Company, Inc. Last Name: Enrich Company, Inc.

The City of Toledo
Last Name: City of Toledo

2. Social Security Cases. Always enter party name as Commissioner of Social Security.

Examples: Department of Health and Human Services Jo Ann B. Barnhart, Commissioner of Social Security Social Security Commissioner Secretary of Health and Human Services

Last Name Field: Commissioner of Social Security

3. John Does. If complaint includes numerous John Does add as one party name. Never add the numbers, letters or roman numerals to the party name, always add as party text.

Examples:John Doe I-XLast Name Field:DoeFirst Name Field:JohnParty Text:I-X

John Doe Police Officers1-10Last Name Field:DoeFirst Name Field:JohnParty Text:Police Officers 1-10

4. Estates

Example:	The Estate of James P. Sentinel by Joseph Smith
Last Name Field:	Smith
First Name Field:	Joseph
Party Text Field:	Executor of the Estate of

Create Alias:

Last Name Field:	Sentinel
First Name Field:	James
Middle Name Field:	Ρ.
Alias Code:	dec

5. Individuals with Titles

Example:

James S. Haviland, Warden of Allen Correctional Institution

Last Name Field:	Haviland
First Name Field:	James
Middle Name Field:	S.
Party Text Field:	Warden of Allen Correctional Institution

6. Unknown Names

Example:

Unknown Spouse of Kenneth M. Keller, If any

Last Name Field:	Unknown Spouse of Kenneth M. Keller
Party Text Field:	lf any

Create Alias:

Last Name Field:	Keller
First Name Field:	Kenneth
Middle Name Field:	М.
Alias Code:	-

7. Union Names

Example:

Building Laborers Local 310 Pension Fund

Last Name Field: Local 310 Building Laborers Pension Fund

PLEASE NOTE: If unsure on how to enter a party name, please contact the clerk's office for guidance.