

NOTICE TO THE MASS TORT BAR

EFFECTIVE IMMEDIATELY THE MASS TORT MOTION PRACTICE

PROCEDURES HAVE BEEN REVISED AS SET FORTH BELOW. QUESTIONS CONCERNING THE SAME MAY BE DIRECTED TO MARY MCGOVERN, DIRECTOR.

REVISED MASS TORT MOTION PROCEDURES

Following is the Mass Tort Motion Procedure as revised July 14, 2004. All prior motion procedures are to be considered obsolete.

1. The motion should be in letter-brief rather than motion package format. It's caption must specify the type of litigation and name opposing counsel. Facts, issues, and pertinent case law should be briefly outlined. Each motion must include a proposed order, a self-addressed stamped envelope, and a signed Attorney Certification of Good Faith.
2. This Certification shall attest that counsel making same has spoken with opposing counsel regarding the subject of the motion in an effort to resolve the specific dispute at issue, and that despite counsel's good faith efforts, counsel has been unable to do so.
3. The movant must present the original motion to the Prothonotary, 2nd Filings, Room 280, City Hall, for time stamping. The proper fee must be paid for all motions. No formal filing with Motions Court is required. However, the clerk will stamp a Control Number on each motion.
4. Motions must be filed by 4:30 p.m. on a Monday or they will be deemed filed the following Monday. The opponent must receive a copy that same day by facsimile or hand delivery. The stamped original motion should be sent or delivered to the Complex Litigation Center, 622 City Hall, Philadelphia, PA, attention Motions Clerk.
5. If the motion is opposed the opponent must answer in the format stated in Paragraph 1 by the following Monday at 4:30 p.m. This answer should be sent or delivered directly to Motions Clerk, 622 City Hall, Philadelphia, PA 19107. No fee need be paid for a response. The movant and all other parties must receive a copy that same day by facsimile or hand delivery. The Control Number must appear on each response.
6. If the motion is unopposed, the Court must receive a letter stating the same. The movant and all interested parties must receive a copy that same day by facsimile or hand delivery. If no letter is received, the Court will assume the motion is uncontested.
7. The Court will docket the original signed order and mail a copy of the signed order via the self-addressed stamped envelope.
8. Oral argument on motions will be scheduled by the Court as needed.

9. A brief call of the Asbestos List will be conducted every Monday at 9:30 a.m. at which time stipulations may be presented to the Court. Each stipulation must contain a self-addressed stamped envelope; a copy of the signed stipulation will be forwarded to counsel via this envelope, who are then charged with distributing copies to all other counsel.

HON. JAMES J. FITZGERALD, III
Administrative Judge

HON. NORMAN ACKERMAN
Coordinating Judge