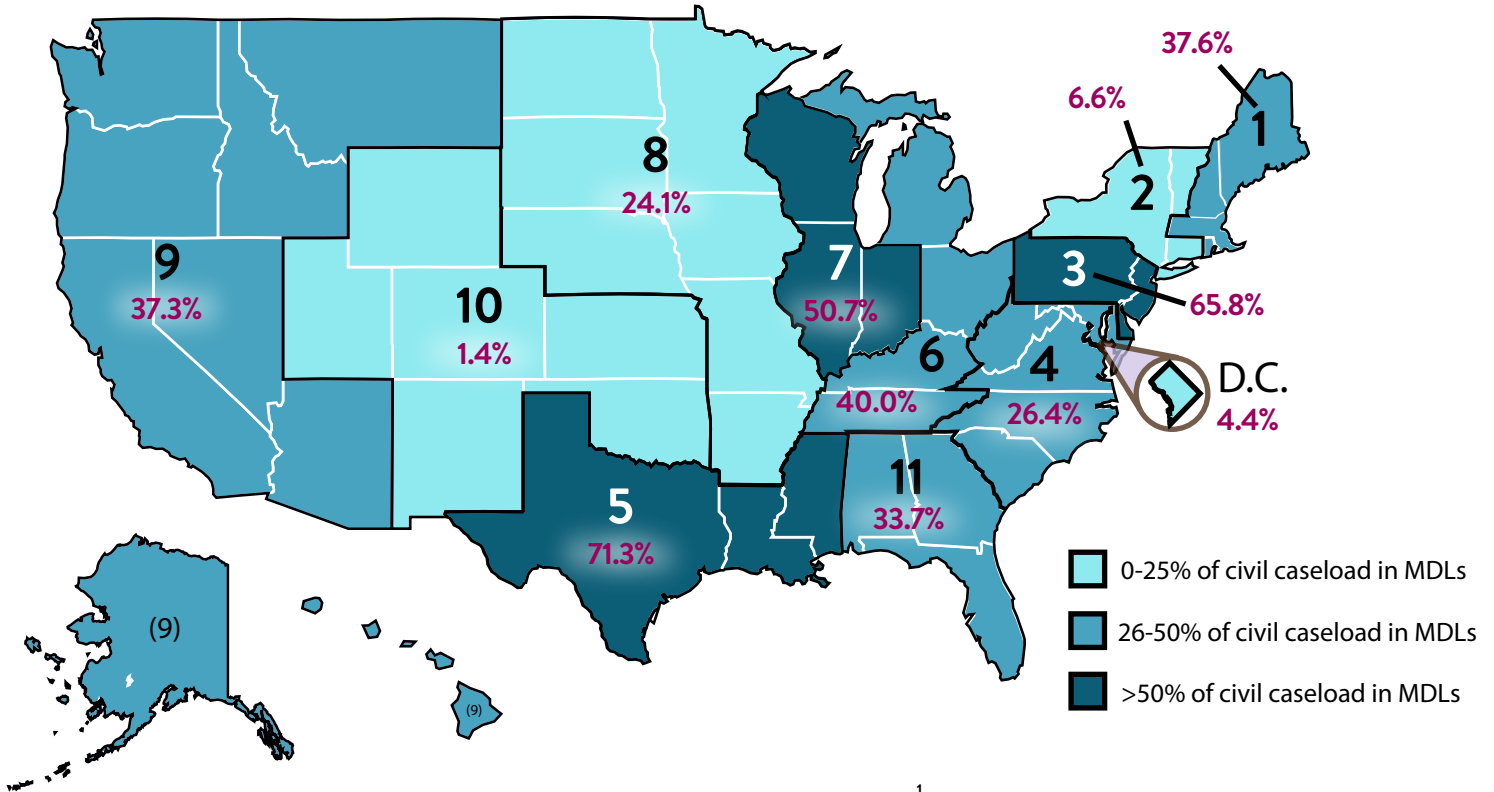


MDL Cases Make Up A Majority of The Civil Caseload In Three Regional Circuits

Cases In MDLs Are More Than 1/3 of The Civil Caseload In Seven Circuits



MDLs by Circuit (FY 2019) ¹

CIRCUIT	NUMBER OF MDLs	NUMBER OF CASES IN MDLs	PERCENTAGE OF ALL CIVIL CASES ²
First	9	2,918	37.6%
Second	25	1,551	6.6%
Third	36	29,608	65.8%
Fourth	16	3,489	26.4%
Fifth	9	51,577	71.3%
Sixth	12	7,920	40.0%
Seventh	14	12,252	50.7%
Eighth	13	1,953	24.1%
Ninth	33	14,990	37.3%
Tenth	6	95	1.4%
Eleventh	14	7,949	33.7%
D.C.	7	160	4.4%

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.

¹ https://www.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2019_0.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.jpml.uscourts.gov/sites/jpml/files/JPML_Statistical_Analysis_of_Multidistrict_Litigation-FY-2019_0.pdf; https://www.uscourts.gov/sites/default/files/data_tables/jb_c3a_0930.2019.pdf