

ENTERED

4/28/94

CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

1126

IN RE: ASBESTOS PRODUCTS :
LIABILITY LITIGATION (No. VI) :
-----X

FILED APR 28 1994

This Document Relates To:

CIVIL ACTION NO. MDL 875
(Including MARDOC, FELA,
and TIREWORKER cases.)

ALL ACTIONS :
-----X

ADMINISTRATIVE ORDER NO. 4

In the process of transferring this litigation to the Eastern District of Pennsylvania, the Judicial Panel On Multidistrict Litigation ordered the suspension of Panel Rule 19(a)¹, thereby eliminating the enormous responsibility of maintaining the complete files in more than 46,000 asbestos-related, personal injury cases. This Court has acknowledged that directive and previously advised all counsel that pleadings and other documents not requiring this Court's action are not to be forwarded to the Clerk of the District Court for the Eastern

1. Rules Of Procedure Of The Judicial Panel On Multidistrict Litigation, Rule 19(a):

Upon receipt of a certified copy of a transfer order from the clerk of the transferee district court, the clerk of the transferor district court shall forward to the clerk of the transferee district court the complete original file and a certified copy of the docket sheet for each transferred action.

In its order dated July 29, 1991, creating jurisdiction for MDL 875 in the Eastern District of Pennsylvania, the Panel stated: "IT IS FURTHER ORDERED that Panel Rule 19(a) be, and the same hereby is, suspended for this docket."

District of Pennsylvania nor to the Court itself unless the Eastern District of Pennsylvania is also the transferor court.²

This Court FINDS that the original maintained files for all MDL 875 cases remain with the transferor court and that individual case pleadings and documents such as answers, cross-claims, discovery requests and responses, third-party complaints and answers, as well as extra copies of all filings received, are unnecessary paper to be received, filed, retained and/or maintained by the Court or the Clerk's Office for the Eastern District of Pennsylvania.

IT IS THEREFORE ORDERED that MDL 875 files being maintained either by the Court or the Clerk's Office for the Eastern District of Pennsylvania shall be purged of excessive papers as described herein commencing May 15, 1994, and further, effective the same date, the same shall be routinely destroyed when received by mail, unless in specific response to a request from the Court.

Objections may be filed with the Court on or before May 15, 1994.

BY THE COURT:

Date: _____

4/26/94



CHARLES R. WEINER, J.

2. Pursuant to Administrative Order No.1 relating to all actions in MDL 875, entered on December 20, 1991, this Court ordered:

1. Copies of pleadings and other documents not requiring action by the Court in individual cases shall not be forwarded to the Clerk's Office for the Eastern District of Pennsylvania, nor shall copies of the same be sent to the transferee judge.