

## **REVISED MASS TORT MOTION PROCEDURES**

The following are the Mass Tort Motion Procedures as revised on November 22, 2010. All prior Motion procedures are to be considered obsolete.

1. All motions shall be electronically filed each Monday pursuant to Pa.R.C.P. 205.4 and Philadelphia Rule of Civil Procedure \*205.4. Any motions filed thereafter will be deemed filed the following Monday.
2. All motions should be in letter-brief rather than motion package format. The first page of the motion shall include the caption, type of litigation (ie. Asbestos, Reglan, Yaz), name of opposing counsel, and the filing and response dates, **PROMINENTLY DISPLAYED**. The second page of the motion shall be the proposed order. The third page of the motion shall include the title line ("Dear Judge . . . .) and begin the facts, issues and pertinent case law, briefly outlined. Each motion must also include a signed Attorney Certification of Good Faith and Certificate of Service.
3. The Attorney Certification of Good Faith shall attest that certifying counsel has spoken with opposing counsel in an effort to resolve the specific dispute at issue, and that despite counsel's good faith efforts, has been unable to do so.
4. For all motions and responses filed which are longer than twenty (20) pages in length (including exhibits) counsel **MUST** provide a courtesy copy of the motion (and any exhibits) to the Coordinating Judge of the Complex Litigation Center, 622 City Hall.
5. All motions and responses shall include a one page Executive Summary outlining the pertinent facts of the motion or response. No case law or legal citations need be included in the Executive Summary.
6. For all motions, the moving party must serve opposing counsel and all interested parties with a copy of the motion on the day filed with the Court, by electronic mail, facsimile or hand delivery.\* The moving party shall notify opposing counsel and all interested parties of the Motion Control Number upon notification of same by the Court.
7. Upon receipt, opposing counsel shall have seven (7) days to file a response to the motion, unless a program specific Case Management Order provides otherwise. The response must be filed no later than midnight (12:00 a.m.) of the due date. **THE RESPONSE MUST CLEARLY DISPLAY THE CONTROL NUMBER OF THE CORRESPONDING MOTION ON THE FIRST PAGE OF THE RESPONSE.** There is no fee for filing a response. The responding party must serve the moving party and all other interested parties with a copy of the response the same day by electronic mail, facsimile or hand delivery.\*
8. If any motion or response is withdrawn, filing counsel must electronically file under the appropriate control number, a Praecipe to Withdraw. The Praecipe must clearly display the control number of the motion. All interested parties must be served with a copy the same day by electronic mail, facsimile or hand delivery.

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\* Counsel are reminded of the more exacting nature of the motions practice in the Complex Litigation Center because of the shorter response times and the need to insure the completion of the same day service requirement. Counsel are cautioned that under Pa R.C.P. 205.4(g)(2)(ii), service by electronic transmission is not complete until "an e-mail message is sent to the recipient by the electronic filing system that the legal paper has been filed and is available for review on the system's website." Accordingly, the obligation of same day service contained in these Procedures will not be satisfied by reliance on Pa.R.C.P. 205.4 (g)(2) if a motion, response or reply filed by electronic mail is not accepted by the Court on the date that it is transmitted to the Court.

9. The Court will rule on all pending motions in a timely manner.
10. The Court will docket the original signed order and all parties of record will be notified via email by the Court's electronic filing system.
11. Oral argument on motions will be scheduled by the Court as needed.
12. Failure to comply with the above may result in the rejection of said filing.

**Hon. D. Webster Keogh**  
**Administrative Judge**

**Hon. William J. Manfredi**  
**Supervising Judge**

**Hon. Sandra Mazer Moss**  
**Coordinating Judge**

**\* Important Notice Regarding Business License and Business Privilege Taxes:**

Counsel seeking Pro Hac Vice admission may be required to obtain a business privilege license and may also be subject to applicable local business privilege taxes based on both gross receipts and net income. See the link to the Department of Revenue below, and consult your tax professional.

[http://www.phila.gov/revenue/business\\_taxes](http://www.phila.gov/revenue/business_taxes)