

REVISED MASS TORT MOTION PROCEDURES

The following are the Mass Tort Motion Procedures as revised on November 9, 2023. These procedures supersede all prior Mass Tort Motion Procedures.

1. All motions shall be electronically filed each Monday pursuant to Rule 205.4 of the Pennsylvania Rules of Civil Procedure and Rule *205.4 of the Philadelphia Civil Rules. Any motions filed after Monday 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 (i.e., Asbestos, Zantac, etc.), name of opposing counsel, and the filing and response dates. 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 contain an executive summary followed by questions presented, facts, and discussion of the issues with citation to pertinent legal authority. Each motion also must 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, and that despite counsel's good faith efforts, they have been unable to resolve the specific dispute at issue.
4. For all motions, the moving party must serve every other party and any other interested individuals/entities in the individual case 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, unrepresented parties and all interested individuals/entities of the motion Control Number upon notification of same by the Court. In the absence of a specific order to the contrary, the moving party also shall serve liaison counsel with a copy of the motion.
5. In the absence of a specific order to the contrary, opposing counsel shall have seven days to file a response to a motion. The response must be filed no later than 11:59 p.m. on the due date. The response must clearly display the control number of the corresponding motion on its first page. 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.*
6. If any motion or response is withdrawn, filing counsel must electronically file under the appropriate control number, a praecipe to withdraw.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.
7. Oral argument on motions may be scheduled by the Court as needed.
8. Failure to comply with the above procedures may result in rejection of any noncompliant filing.

Hon. Lisette Shirdan-Harris
Administrative Judge

Hon. Daniel J. Anders
Supervising Judge

Hon. Joshua Roberts
Mass Tort Team Leader

* Counsel is reminded of the 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 Rule 205.4(g)(2)(ii) of the Pennsylvania Rules of Civil Procedure, 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 Rule 205.4 (g)(2) if a motion, response or reply filed by electronic mail is not accepted by the Court on the date it is transmitted to the Court.