

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:

Judge John F. Nangle
United States District Court
Eastern District of Missouri

MEMBERS:

Judge S. Hugh Dillin
United States District Court
Southern District of Indiana

Judge Milton Pollack
United States District Court
Southern District of New York

Judge Louis H. Pollak
United States District Court
Eastern District of Pennsylvania

Judge Halbert O. Woodward
United States District Court
Northern District of Texas

Judge Robert R. Merhige, Jr.
United States District Court
Eastern District of Virginia

Judge William B. Earight
United States District Court
Southern District of California

DIRECT REPLY TO:

Patricia D. Howard
Clerk of the Panel
1120 Vermont Ave., N.W.
Suite 1002
Washington, D.C. 20005-3545

Telephone: (202) 653-6090
FIS: 653-6090

December 21, 1990

Re: MDL- 874 — In re Clozapine Antitrust Litigation

DOCUMENT FILED: MOTION OF DEFENDANT SANDOZ PHARMACEUTICALS CORPORATION FOR TRANSFER OF ACTIONS TO THE NORTHERN DISTRICT OF ILLINOIS

Dear Counsel:

Today we have filed the above-described motion. Papers filed with the Panel and all correspondence MUST bear the DOCKET NUMBER and CAPTION ASSIGNED by the Panel as noted above.

Enclosed is a summary of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 120 F.R.D. 251. Pursuant to Rule 8(c), you must notify this office within the next eleven days of the name and address of the attorney designated to receive service of all papers relating to practice before the Panel. ONLY ONE ATTORNEY SHALL BE DESIGNATED FOR EACH PARTY. The enclosed Notice of Appearance is for your use in complying with this Rule. We will prepare a Panel Service List on the basis of the appearances received and transmit it to you for your use in complying with our service requirements. PLEASE COOPERATE BY PROMPTLY RETURNING YOUR APPEARANCE FORM.

APPEARANCE DUE ON OR BEFORE: January 2, 1991

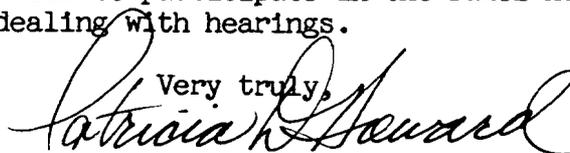
Panel Rule 8(a) requires that responses to motions be served on ALL parties in ALL actions and Panel Rule 10 states that the time for filing responses begins on the date of filing of the motion with the Panel. An ORIGINAL and ELEVEN copies of all pleadings are required for filing.

RESPONSES DUE ON OR BEFORE: January 10, 1991

The Panel Rules also require the common party or parties in these actions to promptly notify this office of any related actions presently pending in federal district court or filed in the future.

You will be notified when this matter has been scheduled for oral argument before the Panel. You must file a response if you wish to participate in the Panel hearing. Please carefully review Panel Rules 16 and 17 dealing with hearings.

Very truly,



Patricia D. Howard
Clerk of the Panel

Enclosures

OFFICE OF THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
SUMMARY OF PANEL RULES — 120 F.R.D. 251

Responses and replies to motions or orders to show cause are to be filed and served in conformity with Rules 3, 7, 8, 9, 10 and 11 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation. Please note the following:

Clerk of the Panel
Judicial Panel on Multidistrict Litigation
1120 Vermont Avenue, N.W., Suite 1002
Washington, D. C. 20005

Telephone: 202/653-6090
Office Hours: 9 a.m. to 4 p.m.

No papers are to be left with or mailed to a Judge of the Panel or his chambers for filing. The Clerk of the Panel can refuse to file papers which do not comply with the Panel Rules. (Rule 4)

Rule 7(a) identifies those documents which require an original only for filing. An original and eleven copies of motions, briefs, responses, etc., must be submitted for filing.

Rule 8 requires that all papers filed with the Panel must be served on all parties in all actions involved in the litigation. Recipients of a motion have ELEVEN (11) days (Rule 8(c)) to notify this office in writing of one attorney to receive service of future Panel pleadings filed in this litigation. A "Panel Service List" will be prepared and distributed by this office in compliance with Rule 8(d). This "Panel Service List" must be attached to the proof of service and supplemented in the event of the presence of additional parties or successor counsel.

Rule 9 outlines the format for pleadings filed with the Panel and notes that each brief submitted for filing shall be limited to twenty pages, exclusive of exhibits.

Review Rule 10 for identification of accompaniments to motions under 28 U.S.C. §1407, unless the party has been granted an extension of time under Rule 15. Counsel are required by Rules 10(f) and 11(e) to advise the Panel of any developments in the litigation which would partially or completely moot a matter being considered by the Panel.

Rules 12(a) and 13(e) require counsel to notify the Panel of any potential tag-along actions in which they are named. Please also note the reference to potential "tag-along" actions in Rules 1.

Rule 16 dealing with "Hearings," identifies those matters which are entitled to a hearing, those parties entitled to participate in oral argument and the limited amount of time for oral argument at the hearing. Notices of appearance, waivers of oral argument, and matters to be submitted on the briefs are governed by Rule 17.

Please note Rule 18 that pendency before the Panel does not affect or suspend orders and pretrial proceedings in the district court in which the action is pending and does not in any way limit the pretrial jurisdiction of that court.

See also A Guide to Multidistrict Litigation and Suggested Procedures for Multidistrict Litigation, cited at 124 F.R.D. 479 (1989).

Copying and certification fees are charged in accordance with Rule 2 and are as follows: \$.50 per page for copying and \$5.00 per document for certification. Payment for copying and certification must be made by check or money order payable to the "Administrative Office, United States Courts."

