

## ATTORNEY CASE OPENING

# JOHNSON & JOHNSON TALCUM POWDER PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION MDL No. 2738

### I. OPEN CASE

#### 1. Select → **Civil** → **Open a Case** → **Open a Civil Case (Attorney)**

- a) Click **Next** after reading the attorney case opening message
- b) Click **Next** after reading the office/county message
- c) Select appropriate **Office - Trenton, Case type – cv, JPML<sup>1</sup> number - 2738**

Leave Other court name and number blank<sup>2</sup>, Click **Next**,  
After reading the attorney case opening message, Click **Next**

- d) Enter the following in the appropriate fields:  
*Jurisdiction* – **4 (Diversity)**  
*Cause of Action*<sup>3</sup> – **28:1332pl (28:1332 Diversity-Product Liability)**  
*Nature of Suit* – **367 (Personal Injury: Health Care /Pharmaceuticals Personal Injury Product Liability)**  
*Origin* – **8 (Direct File MDL)** (even for Notice of Removals)  
*Citizenship plaintiff* – Either **1 this State** or **2 Another State**  
*Citizenship defendant* – **4 (Incorporated/Principal Place of Business- This State)**  
*Jury demand* – use as appropriate  
*County* – **Middlesex**  
*Fee Status* – **pd (paid)** or **pend (IFP pending)**  
Leave all other fields blank or as they are, Click **Next**

#### 2. Enter parties

- a) Click **Next** after reading the party entry information message
- b) Enter plaintiff's name used on the complaint in UPPERCASE letters in the **Search for a party** fields; Last, First and Middle, Click **Search**
- c) When prompted with the **Search Results** field, highlight the party's

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<sup>1</sup> Judicial Panel on Multi-District Litigation.

<sup>2</sup> For Notice of Removals, enter other court name and number. Follow instructions found in the Attorney Case Opening Guide – Step 5.

<sup>3</sup> For Notice of Removals, the Cause of Action code is – 28:1441pl (28:1441 Notice of Removal-Product Liability).

- name if it appears and Click **Select Party** button, otherwise Click **Create New Party** button
- d) On the **Party Information** screen, change the party **Role** from Defendant to **Plaintiff**. On this screen, the client's **Generation** may be entered as well. Except for Party Text, leave all other fields blank or as they are, Click **Add Party**
  - e) Continue adding parties being mindful of their **Role**<sup>4</sup> i.e. plaintiff vs. defendant
  - f) Enter Alias if listed in case caption
    - Click on the Green Plus and Yellow Person icon under the appropriate party under their name, left side of screen
    - When prompted enter Last/Business Name in UPPERCASE LETTERS, Click **Search** button
    - When prompted with the **Search Results** field, highlight the party's name if it appears and Click **Select Alias** button, otherwise Click **Create New Alias** button
    - On the Alias Information screen, complete name if necessary
    - Change the Alias **Type** to appropriate abbreviation
    - Click on **Add Alias** button
  - g) Select → **Create case**
  - h) Select → **Yes** when prompted with Case will be created. Proceed?
  - i) **Your case number** appear on this screen, continue with step 3

### 3. Docket the initial pleading<sup>5</sup>

- a) Click Next after reading the case opening messages
- b) Under Complaints and Other Initiating Documents → choose **Complaint**<sup>5</sup>, Click **Next**
- c) Verify the case number at the Civil Case Number prompt, Click **Next**
- d) Confirm the case number and case caption, Click **Next**
- e) Highlight the filer/client, Click **Next**
- f) On the attorney/party association screen, Click **Next**
- g) Highlight the defendant(s) for multiple defendants utilize the control key to select each one on the filing is **against** screen (Never use the Select a Group: prompt)
- h) Upload the complaint using the Browse button under the Main Document field and attach additional documents with a Category or Description, ie... Civil Cover Sheet, Application IFP, etc..., Click **Next**
- i) Answer appropriately to the jury demand prompt, Click **Next**

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<sup>4</sup> A party's role may be changed by clicking on the pencil next to the party's name on the left side of the screen.

<sup>5</sup> For State Court Removals, select Notice of Removal instead of Complaint re: step 3(b). Follow instructions found in the Attorney Case Opening Guide – Step 15(A).

4. If paying filing fee, select Payment Type: **Credit Card**
  - a) Verify Credit Card has been selected, Click **Next**
  - b) Read Warning Message: **CANNOT use your browser Back button**, Click **Next**
  - c) Wait for the Payment Process System, then enter appropriate data, Click **Continue with Plastic Card Payment**
  - d) On the Authorize Payment screen, verify information, place a check mark in the I authorize a charge.... box, Click **Submit Payment**
  - e) On the Case number and caption screen, Click **Next**
  - f) On the Docket Text: Final Text screen, Click **Next**
  - g) Transaction is Complete

5. If submitting an IFP Application, select Payment Type:  
**Application for In Forma Pauperis (without Prepayment of Fees)**

- a) Verify Application for In Forma Pauperis has been selected, Click **Next**
- b) On the Case number and caption screen, Click **Next**
- c) On the Docket Text: Final Text screen, Click **Next**
- d) Transaction is Complete

## II. Clerk's Office Review and Assignment of a Judge

The Clerk's Office will be automatically notified of your filing. Your filing will be reviewed for accuracy and you will be notified if additional action is required. An NEF will be sent indicating the assigned judge within approximately two business days. Shortly thereafter, another NEF will be sent indicating the issuance of the summons.