

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER #54  
(Procedures for Filings in MDL 1968)**

In order to address issues of the length of docket entries and complexity of filings in MDL 1968 it is hereby **ORDERED** that when a pleading is intended to be applicable to all actions, it shall:

- 1) bear the identification "MDL Docket No. 1968";
- 2) be indicated by the words "THIS DOCUMENT RELATES TO ALL CASES";
- 3) be filed electronically in 2:08-md-1968.

When a pleading is intended to apply to less than all cases, it shall:

- 1) bear the identification "MDL Docket No. 1968";
- 2) list this court's civil action number for each individual case to which the document(s) relate immediately after the words "THIS DOCUMENT RELATES TO...";
- 3) be filed electronically in each member case to which the document(s) applies.

As a general matter, all counsel in MDL 1968 are cautioned by the court to closely monitor the master docket, as well as the dockets and progress of their individual civil actions. It has been and remains the expectation, and directive, of this court that each case will be closely monitored and litigated by representative counsel in a personal and ongoing manner. It is incumbent upon counsel to adopt internal office procedures that ensure the court's notices and orders are received and brought to their attention once they have been received. Important obligations are imposed not only by the Federal Rules of Civil Procedure generally, but also specifically by significant pretrial orders of this court in MDL 1968.

The court **DIRECTS** the Clerk to file a copy of this order in 2-08-md-1968 which shall apply to each member Digitek-related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2-10-cv-00177. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvsc.uscourts.gov](http://www.wvsc.uscourts.gov).

ENTER: February 25, 2010

  
Joseph R. Goodwin, Chief Judge