

**Question: How do I file a new case in the Southern District of West Virginia which relates to MDL 1968?**

**Answer:** To file a new case, refer to **Section 8, Commencement of a Civil Action**, found in our district's **Administrative Procedures for Electronic Case Filing**. Be certain to:

- file the case opening documents in 2:09-cv-99999\* which is a shell case reserved exclusively for the electronic filing of new civil cases;
- attach all documents, e.g., civil cover sheet, summonses, etc., to the initial entry;
- **do not** file documents into the new case until you have received a *Notice of Electronic Filing* (NEF) indicating that the case opening documents have been processed; and
- if you discover that you need to file documents prior to receipt of the aforementioned NEF, please contact Rowena Stiltner (304/347-3047), Rebecca Proctor (304/347-3044), or Susan Howie (304/347-3040) for assistance.

\* The shell case number reserved for the filing of new civil cases changes at the beginning of each calendar year. When there is a change in calendar year, the new shell case number will appear on the CM/ECF login page.

**Question: How can I determine whether to file a document in 2:08-md-1968 or an individual (member) case related to MDL 1968?**

**Answer:** When filing a document which relates to MDL 1968 in general, file the document, (whose first page must contain the phrase THIS DOCUMENT RELATES TO ALL CASES near the case number and style) in 2:08-md-1968 only; do not file the document in any individual (member) case. When filing a document specific to an individual case which is related to MDL 1968, file the document in the individual (member) case only; do not file the document in 2:08-md-1968. Refer to **Section 9, Master Docket File, Pretrial Order #1** entered in 2:08-md-1968 on August 19, 2008, for further information.

**Question: When, where, and how do I submit an MDL 1968 In re: Digitek Products Liability Litigation Electronic Case Filing System Attorney Registration form?**

**Answer:** Each attorney who wishes to file documents in an individual (member) case related to MDL 1968 who has not previously received a login and password must complete and sign an *MDL 1968 In Re: Digitek Products Liability Litigation Electronic Case Filing System Attorney Registration* form prior to making an appearance. The required PDF fillable form is available on our court's website at MDL 1968 Digitek Products Liability Litigation > Forms. Upon completion, the attorney must FAX the form to our office at 304/347-3007 and then immediately mail the original form to the address specified thereon. The Clerk's Office will transmit the attorney's newly assigned login and password to the attorney at the e-mail address the attorney notes on the form. Attorneys are cautioned that logins and passwords which are assigned pursuant to this form are to be used only for MDL 1968 related electronic filings.

**Question: If I do not have a login and password and need to electronically file a document, can I use a login and password belonging to another attorney at my firm and complete an *MDL 1968 Notice of Attorney Appearance and Counsel Contact Information* form at a later time?**

**Answer:** No, you can never use a login and password assigned to another attorney to file documents under your signature. A login and password issued by the court combine to serve as an attorney's signature; therefore, each attorney is responsible for all documents filed using that login and password. For further information, refer to **Section 6, Login and Password; Registration**, found in our district's **Administrative Procedures for Electronic Case Filing**

**Question: When, where, and how do I file an *MDL 1968 Notice of Attorney Appearance and Counsel Contact Information* form?**

**Answer:** When first appearing in an individual (member) case, an attorney must complete a *Notice of Attorney Appearance and Counsel Contact Information Form for MDL 1968* if the attorney has not signed the complaint or if the attorney has not made an appearance in the transferor court prior to the MDL order transferring the case to the Southern District of West Virginia. The required PDF fillable form is available on our court's website at MDL 1968 Digitek Products Liability Litigation > Forms. Upon completion, the attorney must then file the form in each individual (member) case to which it applies using the CM/ECF docketing event found at Civil > Notices > Notice of Attorney Appearance - DIGITEK MDL CASE ONLY. Attorneys are cautioned that the form MUST NOT BE FILED IN 2:08-md-1968.

**QUESTION: When, where, and how do I file an *MDL 1968 Notice of Request of Attorney to be Removed from the Court's Service List* form?**

**ANSWER:** When an attorney wishes to remain as counsel of record in a case related to MDL 1968 but prefers to forfeit receipt of copies of any orders, correspondence, motions, pleadings, notices, etc., the attorney must file an ***MDL 1968 Notice of Request of Attorney to be Removed from the Court's Service List*** form. The required PDF fillable form is available on our court's website at MDL 1968 Digitek Products Liability Litigation > Forms. Upon completion, the attorney must then file the form in the individual (or member) case(s) *only* using the CM/ECF docketing event found at Civil > Notices > Notice of Attorney Request To Be Removed - DIGITEK MDL CASE ONLY. Attorneys are cautioned that the form MUST NOT BE FILED IN 2:08-md-1968.