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Appendix

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APPENDIX
TABLE I

SUMMARY OF AIR DISASTER LITIGATION CONSIDERED FOR TRANSFER UNDER 28 U.S.C. §1407

Panel Docket Number	Carrier	Date and Place of Crash	Date of 1407 Motion or Show Cause Order*	Date of Transfer Order or Denial	Panel Disposition
MDL-8A	American	11/8/65—Constance, Kentucky	7/17/68 I	10/21/68	6 cases transferred to E.D. Kentucky
MDL-8B	TWA	11/20/67—Constance, Kentucky	7/17/68 I	10/21/68	47 cases transferred to E.D. Kentucky
MDL-11	American Flyers	4/22/66—Ardmore, Oklahoma	8/21/68 I	10/17/68	7 cases transferred to E.D. Oklahoma
MDL-13	Piedmont	7/19/67—Hendersonville, N.C.	11/19/68 D	1/14/69	2 cases transferred to W.D. North Carolina
MDL-15	Thai	6/30/67—Hong Kong	1/3/69 P	3/12/69	7 cases transferred to N.D. California
MDL-17	Braniff	8/6/66—Falls City, Nebraska	2/5/69 I	5/2/69	Transfer Denied
MDL-30	Allegheny	9/9/69—Fairland, Indiana	12/5/69 PD	2/10/70	50 cases transferred to S.D. Indiana
MDL-34	United	1/18/69—Santa Monica Bay	1/23/70 D	4/7/70	3 cases transferred to C.D. California
MDL-38	TWA	3/9/67—Dayton, Ohio	2/9/70 I	3/23/70	6 cases transferred to S.D. Ohio
MDL-42A	Allegheny	12/24/68—Bradford, Pennsylvania	4/20/70 I	9/25/70**	Transfer Denied
MDL-42B	Allegheny	1/6/69—Bradford, Pennsylvania	4/20/70 I	9/25/70**	Transfer Denied
MDL-43	Northeast	10/25/68—Hanover, New Hampshire	4/16/70 I	6/11/70	23 cases transferred to New Hampshire
MDL-47	Prinair	3/5/69—San Juan, Puerto Rico	4/30/70 D	8/6/70	19 cases transferred to Puerto Rico
MDL-48	Viaza	3/16/69—Maracaibo, Venezuela	5/14/70 D	7/13/70	4 cases transferred to S.D. Florida

Code: I — Show cause order entered on the initiative of the Panel

P — Motion filed by one or more plaintiffs

D — Motion filed by one or more defendants

PD — Motion filed by plaintiffs and defendants

* Although transfer was not denied until September 25, 1970, an order was entered on June 8, 1970, deferring decision on the proposed transfer and directing the parties to proceed with discovery and other pretrial proceedings.

TABLE II
SUMMARY OF TIME REQUIRED TO PROCESS RECENT AIR DISASTER LITIGATION
TRANSFERRED FEDERAL CASES

Panel Docket Number	Description	Average time from crash to filing	Average time from filing to transfer	Average time from transfer to termination	Average time from filing to termination	Average time from crash to termination
MDL-8A	Constance, Kentucky Crash (11/8/65)	15.3 mos.	25.3 mos.	15.9 mos.	38.2 mos.	55.5 mos.
MDL-8B	Constance, Kentucky Crash (11/20/67)	10.9 mos.	3.5 mos.	36.0 mos.*	39.5 mos.*	50.2 mos.*
MDL-11	Ardmore, Oklahoma Crash (4/22/66)	16.9 mos.	12.4 mos.	9.7 mos.	21.5 mos.	37.8 mos.
MDL-15	Hong Kong Crash (6/30/67)	12.9 mos.	11.1 mos.	10.2 mos.	20.2 mos.	35.8 mos.
MDL-30	Fairland, Indiana Crash (9/9/69)	13.3 mos.	1.7 mos.	19.0 mos.*	20.7 mos.*	34.0 mos.
MDL-34	Santa Monica Bay Crash (1/18/69)	15.3 mos.	5.8 mos.	20.0 mos.*	26.0 mos.*	41.0 mos.*
MDL-38	Dayton, Ohio Crash (3/9/67)	20.2 mos.	16.8 mos.	24.3 mos.*	41.3 mos.*	61.7 mos.*
MDL-43	Hanover, New Hampshire Crash (10/25/68)	20.0 mos.	3.8 mos.	19.6 mos.*	20.1 mos.*	41.4 mos.*
MDL-47	San Juan, Puerto Rico Crash (3/5/69)	12.8 mos.	4.4 mos.	22.0 mos.*	25.0 mos.*	39.0 mos.*
MDL-48	Maracaibo, Venezuela Crash (3/16/69)	11.8 mos.	3.2 mos.	7.2 mos.	14.4 mos.	25.6 mos.
Average for "transferred" air disaster litigation		<u>14.9 mos.</u>	<u>8.2 mos.</u>	<u>19.1 mos.</u>	<u>27.0 mos.</u>	<u>42.8 mos.</u>

* All pending cases were treated as terminated on June 30, 1972.

TABLE III
SUMMARY OF TIME REQUIRED TO PROCESS
AIR DISASTER LITIGATION
NON-TRANSFERRED FEDERAL CASES

<i>Panel Docket Number</i>	<i>Description</i>	<i>Average time from crash to filing</i>	<i>Average time from filing to termination</i>	<i>Average time from crash to termination</i>
MDL-17	Falls City, Nebraska Crash (8/6/66)	13.3 mos.	32.4 mos.*	46.2 mos.*
MDL-42A	Bradford, Pennsylvania Crash (12/24/68)	14.7 mos.	13.5 mos.*	28.2 mos.*
MDL-42B	Bradford, Pennsylvania Crash (1/6/69)	14.0 mos.	16.2 mos.*	30.2 mos.
—	Parrottsville, Newport, Tennessee (7/9/64)	9.4 mos.	22.3 mos.	31.4 mos.
—	Mt. Fuji, Japan (3/5/66)	9.0 mos.	25.5 mos.	35.1 mos.
—	Las Vegas, Nevada (11/15/64)	16.9 mos.	36.7 mos.	53.7 mos.
—	Lake Pontchartrain, New Orleans (2/25/64)	12.0 mos.	43.8 mos.	55.7 mos.
—	Rome, Italy (11/24/64)	20.0 mos.	62.0 mos.	81.9 mos.
	Average for "non-transferred" air disaster litigation	<u>13.7 mos.</u>	<u>31.6 mos.</u>	<u>44.0 mos.</u>

* All pending cases were treated as terminated on June 30, 1972.

