

106TH CONGRESS
1ST SESSION

S. 1748

To amend chapter 87 of title 28, United States Code, to authorize a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial.

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 1999

Mr. HATCH (for himself, Mr. LEAHY, Mr. GRASSLEY, Mr. KOHL, Mr. TORRICELLI, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 87 of title 28, United States Code, to authorize a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Multidistrict Jurisdic-
5 tion Act of 1999”.

6 **SEC. 2. MULTIDISTRICT LITIGATION.**

7 Section 1407 of title 28, United States Code, is
8 amended—

1 (1) in the third sentence of subsection (a), by
 2 inserting “or ordered transferred to the transferee
 3 or other district under subsection (i)” after “termi-
 4 nated”; and

5 (2) by adding at the end the following new sub-
 6 section:

7 “(i)(1) Subject to paragraph (2), any action trans-
 8 ferred under this section by the panel may be transferred,
 9 for trial purposes, by the judge or judges of the transferee
 10 district to whom the action was assigned to the transferee
 11 or other district in the interest of justice and for the con-
 12 venience of the parties and witnesses.

13 “(2) Any action transferred for trial purposes under
 14 paragraph (1) shall be remanded by the panel for the de-
 15 termination of compensatory damages to the district court
 16 from which it was transferred, unless the court to which
 17 the action has been transferred for trial purposes also
 18 finds, for the convenience of the parties and witnesses and
 19 in the interests of justice, that the action should be re-
 20 tained for the determination of compensatory damages.”.

21 **SEC. 3. EFFECTIVE DATE.**

22 The amendments made by this Act shall apply to any
 23 civil action pending on or brought on or after the date
 24 of the enactment of this Act.

