

114TH CONGRESS
1ST SESSION

S. 1113

To amend title 28, United States Code, to remand certain civil actions transferred by the judicial panel on multidistrict litigation.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2015

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to remand certain civil actions transferred by the judicial panel on multidistrict litigation.

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. MULTIDISTRICT LITIGATION.**

4 Section 1407(a) of title 28, United States Code, is
5 amended—

6 (1) by striking “When” and inserting “(1)
7 When”; and

8 (2) by adding at the end the following:

9 “(2) Upon a motion of a plaintiff in a civil action
10 described in paragraph (1), if the panel does not remand

1 the action at or before the conclusion of such pretrial pro-
2 ceedings to the district from which it was transferred be-
3 fore the date that is 5 years after the date on which the
4 action is transferred—

5 “(A) the action shall be remanded to the dis-
6 trict court from which it was transferred; and

7 “(B) on remand, the district court shall set a
8 schedule for the time for completion of discovery and
9 a trial date for the action in accordance with chapter
10 23 and the civil justice expense and delay reduction
11 plan of the district court implemented in accordance
12 with that chapter.”.

13 **SEC. 2. EFFECTIVE DATE.**

14 The amendment made by section 1 shall apply to any
15 civil action pending in a transferee district court described
16 in section 1407 of title 28, United States Code, on or after
17 August 1, 2010.

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