

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
(410) 962-0782
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April 22, 2004

Re. MDL-1586 -*In re Mutual Funds Investment Litigation*

Dear Counsel:

The purpose of this letter (which I am filing in each track and posting on the website) is to review with you certain administrative matters. Judges Blake, Davis, and Stamp have authorized me to send the letter on their behalf as well as my own.

1. Some of you have asked that we set a deadline for counsel to enter their appearance in each track. As I understand the reason for the request, you are concerned about having to send paper copies of documents you electronically file to counsel who have not yet registered in the CM/ECF system but who you know represent parties in your case. The deadline is not necessary because you need not serve paper copies upon those who have not registered. Therefore, let me remind you that **if you represent a party in a track and want to serve and be served with motions, correspondence, and other documents that are now being filed in that track, you must electronically enter an appearance in CM/ECF for that track.**

2. Let me also remind any of you (including horizontal executive committee members) who simply want to receive notice of filings in tracks in which you have not entered your appearance that you should include those tracks in your CM/ECF accounts as cases in which you want to receive notice. You should not, however, enter your appearance in a track in which you do not represent a party.

3. I understand that when making your electronic filings on April 19th, several of you made inquiries to each of our chambers about whether it would be sufficient for you to deliver the courtesy paper copies to us by overnight delivery rather than by simultaneous hand delivery. **This is to let you know that in the future you may, unless one or all of us advise you to the contrary because of the exigencies surrounding a particular filing, deliver courtesy copies to us within a reasonable time (ordinarily, one or two business days) after filing them electronically.**

4. We also understand that it is inconvenient for you to contact four different chambers about routine administrative matters, such as the question about delivering courtesy copies and the request (made by one group of plaintiffs' counsel) to file what would be a 1,000 page paper document by CD-ROM. Therefore, **this is also to let you know that in the future you may contact only my chambers about a routine administrative matter. I will speak for all of us in answering your**

question. Of course, if I believe the answer is one on which we may have different views, I may either communicate with my colleagues before answering it or ask you to make separate inquires to each chambers.

5. Unfortunately, the docket entries made in connection with many of the April 19th filings were inaccurate. Correcting the errors was extremely time-consuming for the members of our clerk's office. As we have previously mentioned to you, our clerk's office offers CM/ECF training for you and members of your staffs. We urge you to take advantage of this training. Moreover, although we do not encourage the practice, if you or members of your staff have not received training and are having difficulty in effecting an electronic filing and choosing what docket entries to make, we ask that you call our clerk's office while attempting to make your filing and have someone walk you through the filing process. This is, of course, time-consuming for our staff but it is less burdensome than correcting errors after the fact.

This is a large project; inevitably, as we proceed, unanticipated administrative difficulties will emerge. If you encounter such difficulties, please let us know and together we will work our way through them.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge

cc: Honorable Catherine C. Blake
Honorable Andre M. Davis
Honorable Frederick P. Stamp, Jr.