

Table S-11.
U.S. District Courts—Civil Cases Pending Three Years or More, by Basis of Jurisdiction and Nature of Suit,
on September 30, 2008 and 2009

| Nature of Suit | Cases Pending Three Years or More | | U.S. Cases | | Private Cases | | |
|--|--------------------------------------|---------------|------------|--------------|---------------------|-----------------------------|-----------------------|
| | 2008 | 2009 | Plaintiff | Defendant | Federal Question | Diversity of Citizenship | Local Jurisdiction |
| TOTAL CASES | 19,214 | 35,772 | 663 | 1,043 | 12,652 | 21,409 | 5 |
| CONTRACT ACTIONS, TOTAL | 1,359 | 1,439 | 45 | 20 | 311 | 1,061 | 2 |
| FRANCHISE | 2 | 7 | - | - | 1 | 6 | - |
| INSURANCE | 325 | 340 | 3 | 3 | 49 | 285 | - |
| MARINE | 53 | 72 | - | - | 70 | 2 | - |
| MILLER ACT | 13 | 19 | 6 | - | 13 | - | - |
| NEGOTIABLE INSTRUMENTS | 45 | 20 | 1 | - | 6 | 13 | - |
| RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS | 41 | 47 | 24 | 5 | 11 | 7 | - |
| DEFAULTED STUDENT LOANS | 21 | 21 | 21 | - | - | - | - |
| VETERANS' OVERPAYMENT | - | - | - | - | - | - | - |
| OTHER | 20 | 26 | 3 | 5 | 11 | 7 | - |
| OTHER CONTRACT ACTIONS | 880 | 934 | 11 | 12 | 161 | 748 | 2 |
| REAL PROPERTY ACTIONS, TOTAL | 207 | 236 | 20 | 30 | 96 | 90 | - |
| FORECLOSURE | 51 | 52 | 18 | 9 | 9 | 16 | - |
| RENT, LEASE, AND EJECTMENT | 8 | 7 | - | - | 3 | 4 | - |
| TORTS TO LAND, INCLUDING PRODUCT LIABILITY | 54 | 79 | 1 | 10 | 32 | 36 | - |
| OTHER REAL PROPERTY ACTIONS | 94 | 98 | 1 | 11 | 52 | 34 | - |
| TORT ACTIONS, TOTAL | 7,340 | 23,633 | 16 | 92 | 3,307 | 20,215 | 3 |
| PERSONAL INJURY, TOTAL | 7,066 | 23,033 | 6 | 84 | 3,036 | 19,904 | 3 |
| PERSONAL INJURY/ PRODUCT LIABILITY, TOTAL | 5,350 | 20,396 | - | 4 | 905 | 19,487 | - |
| AIRPLANE | 9 | 9 | - | 1 | - | 8 | - |
| MARINE | 9 | 7 | - | - | 4 | 3 | - |
| MOTOR VEHICLE | 25 | 109 | - | - | 7 | 102 | - |
| ASBESTOS ¹ | 56 | 8,035 | - | 1 | 24 | 8,010 | - |
| OTHER | 5,251 | 12,236 | - | 2 | 870 | 11,364 | - |
| OTHER PERSONAL INJURY, TOTAL | 1,716 | 2,637 | 6 | 80 | 2,131 | 417 | 3 |
| AIRPLANE | 82 | 49 | - | 3 | 36 | 10 | - |
| MARINE | 56 | 54 | - | 1 | 41 | 12 | - |
| MOTOR VEHICLE | 110 | 111 | - | 17 | 11 | 83 | - |
| ASSAULT, LIBEL, AND SLANDER | 38 | 25 | - | 1 | 9 | 15 | - |
| FEDERAL EMPLOYERS LIABILITY ACT | 50 | 39 | - | 2 | 37 | - | - |
| MEDICAL MALPRACTICE | 65 | 52 | - | 32 | - | 20 | - |
| OTHER | 1,315 | 2,307 | 6 | 24 | 1,997 | 277 | 3 |

Table S-11. (September 30, 2009—Continued)

| Nature of Suit | Cases Pending Three Years or More | | U.S. Cases | | Private Cases | | |
|--|--------------------------------------|---------------|------------|------------|---------------------|-----------------------------|-----------------------|
| | 2008 | 2009 | Plaintiff | Defendant | Federal Question | Diversity of Citizenship | Local Jurisdiction |
| PERSONAL PROPERTY DAMAGE, TOTAL | 274 | 600 | 10 | 8 | 271 | 311 | - |
| FRAUD, INCLUDING TRUTH IN LENDING | 190 | 396 | 10 | 2 | 161 | 223 | - |
| OTHER PERSONAL PROPERTY DAMAGE | 84 | 204 | - | 6 | 110 | 88 | - |
| ACTIONS UNDER STATUTES, TOTAL | 10,297 | 10,452 | 581 | 900 | 8,932 | 39 | - |
| ANTITRUST | 495 | 634 | 2 | 1 | 631 | - | - |
| BANKRUPTCY, TOTAL | 82 | 93 | - | - | 93 | - | - |
| APPEAL (28 U.S.C. 158) | 32 | 45 | - | - | 45 | - | - |
| WITHDRAWAL (28 U.S.C. 157) | 50 | 48 | - | - | 48 | - | - |
| BANKS AND BANKING | 16 | 13 | 1 | 1 | 11 | - | - |
| CIVIL RIGHTS, TOTAL | 2,047 | 2,052 | 58 | 177 | 1,800 | 17 | - |
| VOTING | 7 | 13 | 3 | 1 | 9 | - | - |
| EMPLOYMENT | 825 | 769 | 36 | 106 | 618 | 9 | - |
| HOUSING AND ACCOMMODATIONS | | 48 | 52 | 7 | 4 | 40 | 1 |
| WELFARE | 4 | 7 | - | 3 | 4 | - | - |
| ADA—EMPLOYMENT | 11 | 19 | 1 | 1 | 17 | - | - |
| ADA—OTHER | 14 | 35 | 1 | 1 | 31 | 2 | - |
| OTHER CIVIL RIGHTS | 1,138 | 1,157 | 10 | 61 | 1,081 | 5 | - |
| ENVIRONMENTAL MATTERS | 215 | 194 | 33 | 37 | 124 | - | - |
| DEPORTATION | 9 | 5 | - | 4 | 1 | - | - |
| PRISONER PETITIONS, TOTAL | 3,254 | 3,275 | - | 365 | 2,909 | 1 | - |
| MOTIONS TO VACATE SENTENCE | 248 | 205 | - | 205 | - | - | - |
| HABEAS CORPUS | 1,270 | 1,334 | - | 98 | 1,236 | - | - |
| HABEAS CORPUS—DEATH PENALTY | 388 | 384 | - | 14 | 370 | - | - |
| MANDAMUS AND OTHER | 19 | 23 | - | 11 | 12 | - | - |
| CIVIL RIGHTS | 1,010 | 1,026 | - | 27 | 999 | - | - |
| PRISON CONDITION | 319 | 303 | - | 10 | 292 | 1 | - |
| FORFEITURE AND PENALTY, TOTAL | 124 | 132 | 124 | 8 | - | - | - |
| AGRICULTURAL ACTS | 1 | 2 | 2 | - | - | - | - |
| FOOD AND DRUG ACT | 2 | 3 | 3 | - | - | - | - |
| DRUG-RELATED SEIZURE OF PROPERTY | 48 | 47 | 45 | 2 | - | - | - |
| AIR TRAFFIC REGULATIONS | - | - | - | - | - | - | - |
| OCCUPATIONAL SAFETY AND HEALTH ACT | - | - | - | - | - | - | - |
| OTHER FORFEITURE AND PENALTY SUITS | 73 | 80 | 74 | 6 | - | - | - |

Table S-11. (September 30, 2009—Continued)

| Nature of Suit | Cases Pending Three Years or More | | U.S. Cases | | Private Cases | | |
|--|--------------------------------------|--------------|------------|------------|---------------------|-----------------------------|-----------------------|
| | 2008 | 2009 | Plaintiff | Defendant | Federal Question | Diversity of Citizenship | Local Jurisdiction |
| LABOR LAWS, TOTAL | 557 | 633 | 11 | 3 | 619 | - | - |
| FAIR LABOR STANDARDS ACT | 125 | 175 | 4 | - | 171 | - | - |
| LABOR MANAGEMENT RELATIONS ACT | 37 | 36 | 1 | 1 | 34 | - | - |
| LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT | 2 | 5 | - | - | 5 | - | - |
| RAILWAY LABOR ACT | 6 | 10 | - | - | 10 | - | - |
| ERISA ² | 346 | 333 | 6 | 1 | 326 | - | - |
| OTHER LABOR LITIGATION | 41 | 74 | - | 1 | 73 | - | - |
| IMMIGRATION, TOTAL³ | - | - | - | - | - | - | - |
| NATURALIZATION APPLICATIONS | - | - | - | - | - | - | - |
| HABEAS CORPUS—ALIEN DETAINEES | - | - | - | - | - | - | - |
| OTHER IMMIGRATION ACTIONS | - | - | - | - | - | - | - |
| PROTECTED PROPERTY RIGHTS, TOTAL | 665 | 590 | - | - | 590 | - | - |
| COPYRIGHT | 104 | 90 | - | - | 90 | - | - |
| PATENT | 424 | 384 | - | - | 384 | - | - |
| TRADEMARK | 137 | 116 | - | - | 116 | - | - |
| SECURITIES, COMMODITIES, AND EXCHANGES | 1,462 | 1,313 | 106 | 6 | 1,201 | - | - |
| SOCIAL SECURITY LAWS, TOTAL | 121 | 125 | 1 | 124 | - | - | - |
| DISABILITY INSURANCE | 74 | 64 | 1 | 63 | - | - | - |
| SUPPLEMENTAL SECURITY INCOME | 39 | 49 | - | 49 | - | - | - |
| RETIREMENT AND SURVIVORS BENEFITS | 6 | 8 | - | 8 | - | - | - |
| OTHER | 2 | 4 | - | 4 | - | - | - |
| RICO ⁴ | 145 | 139 | 4 | - | 122 | 13 | - |
| STATE REAPPORTIONMENT SUITS | - | 1 | - | - | 1 | - | - |
| TAX SUITS | 57 | 79 | 32 | 47 | - | - | - |
| CUSTOMER CHALLENGE | - | - | - | - | - | - | - |
| CONSUMER CREDIT | 14 | 44 | - | - | 41 | 3 | - |
| CABLE/SATELLITE TV | 1 | 4 | - | - | 4 | - | - |
| FREEDOM OF INFORMATION ACT | 31 | 36 | - | 36 | - | - | - |
| CONSTITUTIONALITY OF STATE STATUTES | 27 | 28 | - | - | 23 | 5 | - |
| OTHER STATUTORY ACTIONS | 975 | 1,062 | 209 | 91 | 762 | - | - |
| OTHER ACTIONS, TOTAL | 11 | 12 | 1 | 1 | 6 | 4 | - |

NOTE: Land condemnation cases are omitted.

¹ Includes cases filed in previous years as consolidated cases that thereafter were severed into individual cases.

² ERISA = Employee Retirement Income Security Act.

³ Data collection for these categories began in December 2007.

⁴ RICO = Racketeer Influenced and Corrupt Organizations Act.