

Table 4.5
U.S. District Courts. Product Liability Cases Filed by Nature of Suit

Fiscal Year	Total	Contract Actions	Torts to Land	Property Damage	Personal Injury				
					Airline	Marine	Motor Vehicle	Asbestos	Other
1990	19,621	383	65	334	191	277	589	13,809	3,973
1995	28,226	249	64	366	155	53	566	6,916	19,857
2000	15,318	350	72	468	164	54	421	7,187	6,602
2002	41,934	291	83	425	120	42	564	26,818	13,591
2003	22,509	314	90	494	101	34	609	1,562	19,305
2004	34,928	260	99	469	100	32	618	1,471	31,879
2005	30,295	224	103	431	79	46	531	1,243	27,638
2006	49,743	265	148	591	74	37	561	16,547	31,520

NOTE: The increase in filings in 1995 was due primarily to a rise in the number of breast implant cases. The magnitude of the increase was inflated as some of these cases were reported as new filings more than one time. (For additional information refer to the 1999 Annual Report of the Director, pp. 24-25.) Product liability cases more than tripled in 2002 due to a large number of plaintiffs seeking relief in the expectation that new laws may be enacted making it more difficult to file cases related to injuries involving asbestos. A significant increase in filings in which plaintiffs sought relief due to the injurious side effects of the anti-cholesterol drug Baycol also continued to contribute to the increase in product liability filings. The 58 percent increase in personal injury product liability filings in 2004 resulted from the transfer of several thousand cases to the Northern District of Ohio as part of multidistrict litigation (MDL) involving welding products that contained manganese. In addition, a number of district courts experienced an influx of cases related to MDL involving either Baycol or Phentermine\Fenfluramine\Dexfenfluramine (Fen-phen). In 2006, personal injury product liability filings rose 64 percent, primarily as a result of 15,000 additional asbestos cases, over 14,000 of which were MDL filings in the Eastern District of Pennsylvania.

Source: Personal injury product liability data from Statistical Table C-2, contract actions, torts to land, and property damage Table S-7 (1990) and Table S-10 (1995, 2000, 2002-2006).