

**Table 4.9**  
**U.S. District Courts—Diversity Of Citizenship Cases Filed, by Nature of Suit**

Nature of Suit	Fiscal Year							
	1990 <sup>1</sup>	1995	2000	2004	2005	2006	2007	2008
<b>TOTAL</b>	<b>57,435</b>	<b>51,448</b>	<b>48,626</b>	<b>67,624</b>	<b>62,191</b>	<b>80,370</b>	<b>72,619</b>	<b>88,457</b>
<b>CONTRACT ACTIONS, TOTAL</b>	<b>22,859</b>	<b>20,992</b>	<b>21,581</b>	<b>20,276</b>	<b>19,266</b>	<b>20,970</b>	<b>23,298</b>	<b>23,211</b>
Franchise	-	-	-	-	-	-	-	291
Insurance	5,983	6,528	6,259	7,166	6,591	7,870	10,430	9,955
Marine	202	157	149	116	93	111	110	99
Negotiable Instruments	1,162	771	401	332	338	276	309	434
Recovery of Overpayments & Enforcement of Judgments, Total	107	106	96	93	105	144	189	233
Other Contract Actions	15,405	13,430	14,676	12,569	12,139	12,569	12,260	12,199
<b>REAL PROPERTY ACTIONS, TOTAL</b>	<b>2,192</b>	<b>1,531</b>	<b>2,085</b>	<b>2,773</b>	<b>1,622</b>	<b>1,798</b>	<b>2,527</b>	<b>1,839</b>
Condemnation of Land	15	11	20	14	17	13	29	30
Foreclosure	1,310	798	1,430	2,061	928	945	1,521	756
Rent, Lease, Ejectment	148	137	86	92	87	86	75	105
Torts to Land, Including Prod. Liability	348	240	258	273	226	304	401	352
Other Real Property Actions	371	345	291	333	364	450	501	596
<b>TORT ACTIONS, TOTAL</b>	<b>32,251</b>	<b>28,806</b>	<b>23,594</b>	<b>43,919</b>	<b>40,866</b>	<b>57,240</b>	<b>46,437</b>	<b>62,427</b>
Personal Injury, Total	30,343	26,756	21,291	41,769	38,588	54,888	43,975	60,153
Personal Injury/Product Liability, Total	17,691	12,059	10,176	31,842	27,212	45,485	34,974	50,995
Airplane	168	99	133	68	57	60	64	82
Marine	234	28	33	22	19	14	18	18
Motor Vehicle	555	541	388	573	491	523	405	360
Asbestos <sup>2</sup>	12,909	2,098	3,501	981	1,029	16,030	12,254	33,568
Other <sup>3</sup>	3,825	9,293	6,121	30,198	25,616	28,858	22,233	16,967
Other Personal Injury, Total	12,652	14,697	11,115	9,927	11,376	9,403	9,001	9,158
Airplane	571	432	367	244	219	157	260	157
Marine	442	356	208	218	226	255	252	265
Motor Vehicle	5,018	4,305	3,821	3,495	3,356	3,271	3,113	3,012
Assault, Libel, & Slander	441	568	535	398	416	378	327	368
Medical Malpractice	769	800	857	668	631	588	567	698
Other <sup>4</sup>	5,411	8,236	5,327	4,904	6,528	4,754	4,482	4,658
Personal Property Damage, Total	1,908	2,050	2,303	2,150	2,278	2,352	2,462	2,274
Fraud, Including Truth in Lending	915	1,091	1,149	1,136	1,292	1,229	1,024	1,095
Other Personal Property Damage	993	959	1,154	1,014	986	1,123	1,438	1,179
<b>OTHER ACTIONS, TOTAL</b>	<b>133</b>	<b>119</b>	<b>1,366</b>	<b>656</b>	<b>437</b>	<b>362</b>	<b>357</b>	<b>973</b>

<sup>1</sup> Twelve-month period ending June 30.

<sup>2</sup> The increases in 2006 and 2008 primarily resulted from influxes of asbestos filings in the Eastern District of Pennsylvania.

<sup>3</sup> Other personal injury/product liability filings continued to increase in 2003 as a large number of plaintiffs alleged injurious side effects of the anticholesterol drug Baycol. In 2004, total diversity of citizenship filings rose significantly due to a 55 percent increase in personal injury product/liability filings. Most of the growth resulted from the transfer of several thousand cases to the Northern District of Ohio as part of multidistrict litigation involving welding products that contained manganese. In addition, many district courts experienced an influx of cases related to multidistrict litigation involving either Baycol or Phentermine/Fenfluramine/Dexfenfluramine (Fen-phen).

<sup>4</sup> The significant increase in other personal injury cases in 1995 was mostly attributable to a large number cases related to an oil refinery explosion in Louisiana.

