

Monitor Update: Deadlines for Petitions for Monitor Review

Originally Issued: August 14, 2000

Date Revised: October 1, 2003

Update 003

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Deadlines for Petitions for Monitor Review

1. Introduction

On July 14, 2000, Judge Paul L. Friedman issued an important Order in the *Pigford* lawsuit that affected petitions for Monitor Review. An Order from the Judge has the force of law.

The Order directed the Facilitator in the lawsuit to send a copy of the Order to a certain category of people. Because the Order is written in legal language, the Monitor's Office feels that a summary and explanation of the Judge's Order might help class members. If you would like to have a copy of the July 14, 2000 Order sent to you, please call the Monitor's office at 1-877-924-7483.

This Update explains:

- What petitions for Monitor review are.
- The deadline for petitions for Monitor review.

2. Petitions for Monitor review

In the *Pigford* lawsuit, both Claimants and the Government are able to petition the Monitor for review of decisions by the Facilitator, the Adjudicator, or the Arbitrator. Any party who received a wholly or partly adverse final decision in a Facilitator eligibility decision, a Track A adjudication, or a Track B arbitration may petition the Monitor for review of that decision. A letter and pamphlet from the Monitor's office dated June 2, 2000, was sent to every class member. It described in detail how Monitor review works. Anyone may request a copy of the letter and pamphlet (which was updated on June 1, 2003) by calling the Monitor's office toll free at 1-877-924-7483.

3. Judge's Order created a deadline for most petitions for Monitor review

The Judge's Order created a deadline for filing petitions for Monitor review. The deadline worked in two ways. The difference depends on when the Adjudicator or Arbitrator's decision was made. The important date to keep in mind is July 14, 2000. (If the Facilitator made the decision, this deadline does not apply. Information about Monitor Review of Facilitator denials can be found in "Monitor Update 5: Eligibility and Monitor Review".)

a. Decision on or before July 14, 2000—deadline was November 13, 2000

If the decision by the Track A Adjudicator or the Track B Arbitrator was made on or before July 14, 2000, the deadline for filing a petition for Monitor review was November 13, 2000. (This deadline was affected by the Register process in Orders dated November 8, 2000; April 27, 2001; and May 15, 2001.)

b. Decision after July 14, 2000—deadline 120 Days After Decision

If the decision by the Track A Adjudicator or the Track B Arbitrator was made after July 14, 2000, the deadline for filing a petition for Monitor review is 120 days from the date of the decision. For example, if an Adjudicator made a decision on August 1, 2000, the deadline for filing a petition for Monitor review was November 29, 2000.

4. Deadlines created by the Order are firm

The deadlines explained in this Update are firm. The Judge's Order says that no extension of these deadlines will be granted for any reason.

5. More information from the Monitor

Anyone who has questions for the Monitor's Office regarding deadlines for petitions for Monitor review should call toll-free at 1-877-924-7483.