

Table X-5.

U.S. District Courts—Class Action Civil Cases Commenced, by Basis of Jurisdiction and Nature of Suit, During the 12-Month Period Ending September 30, 2004

Nature of Suit	2003	Total	2004				
			U.S. Cases		Private Cases		
			Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
TOTAL CASES	2,148	2,693	43	88	2,287	275	-
CONTRACT ACTIONS, TOTAL	151	208	6	3	100	99	-
INSURANCE	39	39	-	-	4	35	-
MARINE	2	7	-	-	6	1	-
MILLER ACT	-	1	-	-	1	-	-
NEGOTIABLE INSTRUMENTS	-	1	-	-	1	-	-
RECOVERY OF OVERPAYMENTS							
AND ENFORCEMENT OF JUDGMENTS	3	8	6	1	1	-	-
DEFAULTED STUDENT LOANS	-	6	6	-	-	-	-
VETERANS' OVERPAYMENT	-	-	-	-	-	-	-
OTHER	3	2	-	1	1	-	-
OTHER CONTRACT ACTIONS	107	152	-	2	87	63	-
REAL PROPERTY ACTIONS, TOTAL	20	22	9	2	4	7	-
CONDEMNATION OF LAND	1	-	-	-	-	-	-
FORECLOSURE	1	10	8	1	1	-	-
RENT, LEASE, AND EJECTMENT	-	-	-	-	-	-	-
TORTS TO LAND, INCLUDING							
PRODUCT LIABILITY	13	6	-	-	2	4	-
OTHER REAL PROPERTY ACTIONS	5	6	1	1	1	3	-
TORT ACTIONS, TOTAL	312	281	-	7	115	159	-
PERSONAL INJURY, TOTAL	237	204	-	6	82	116	-
PERSONAL INJURY/							
PRODUCT LIABILITY, TOTAL	159	115	-	-	52	63	-
AIRPLANE	-	1	-	-	-	1	-
MARINE	2	-	-	-	-	-	-
MOTOR VEHICLE	2	-	-	-	-	-	-
ASBESTOS	1	-	-	-	-	-	-
OTHER	154	114	-	-	52	62	-

Table X-5. (September 30, 2004—Continued)

Nature of Suit	2003	Total	2004				
			U.S. Cases		Private Cases		
			Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
OTHER PERSONAL INJURY, TOTAL	78	89	-	6	30	53	-
AIRPLANE	-	3	-	-	-	3	-
MARINE	3	-	-	-	-	-	-
MOTOR VEHICLE	4	2	-	-	-	2	-
ASSAULT, LIBEL, AND SLANDER	1	3	-	-	1	2	-
FEDERAL EMPLOYERS LIABILITY ACT	-	2	-	-	2	-	-
MEDICAL MALPRACTICE	1	9	-	4	-	5	-
OTHER	69	70	-	2	27	41	-
PERSONAL PROPERTY DAMAGE, TOTAL	75	77	-	1	33	43	-
FRAUD, INCLUDING TRUTH IN LENDING	64	49	-	-	33	16	-
OTHER PERSONAL PROPERTY DAMAGE	11	28	-	1	-	27	-
ACTIONS UNDER STATUTES, TOTAL	1,665	2,181	28	76	2,067	10	-
ANTITRUST	97	116	-	-	116	-	-
BANKRUPTCY, TOTAL	2	7	-	-	7	-	-
APPEAL (28 U.S.C. 158)	2	3	-	-	3	-	-
WITHDRAWAL (28 U.S.C. 157)	-	4	-	-	4	-	-
BANKS AND BANKING	10	11	-	-	11	-	-
CIVIL RIGHTS, TOTAL	195	241	5	19	212	5	-
VOTING	5	2	-	-	2	-	-
EMPLOYMENT	76	96	4	8	79	5	-
HOUSING AND ACCOMMODATIONS	5	10	1	-	9	-	-
WELFARE	5	4	-	-	4	-	-
OTHER CIVIL RIGHTS	104	129	-	11	118	-	-
COMMERCE	6	5	-	-	5	-	-
ENVIRONMENTAL MATTERS	2	5	-	-	5	-	-
DEPORTATION	1	-	-	-	-	-	-

Table X-5. (September 30, 2004—Continued)

Nature of Suit	2003	Total	2004				
			U.S. Cases		Private Cases		
			Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction
PRISONER PETITIONS, TOTAL	52	84	-	22	62	-	-
MOTIONS TO VACATE SENTENCE	-	7	-	7	-	-	-
HABEAS CORPUS—GENERAL	3	16	-	10	6	-	-
HABEAS CORPUS—DEATH PENALTY	1	3	-	-	3	-	-
MANDAMUS AND OTHER	1	1	-	1	-	-	-
CIVIL RIGHTS	20	34	-	4	30	-	-
PRISON CONDITION	27	23	-	-	23	-	-
FORFEITURE AND PENALTY, TOTAL	1	4	3	1	-	-	-
AGRICULTURAL ACTS	-	-	-	-	-	-	-
FOOD AND DRUG ACT	-	-	-	-	-	-	-
DRUG-RELATED SEIZURE OF PROPERTY	1	1	-	1	-	-	-
AIR TRAFFIC REGULATIONS	-	-	-	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	-	-	-	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	-	3	3	-	-	-	-
LABOR LAWS, TOTAL	244	253	1	1	251	-	-
FAIR LABOR STANDARDS ACT	102	133	-	1	132	-	-
LABOR MANAGEMENT RELATIONS ACT	7	8	-	-	8	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	-	2	-	-	2	-	-
RAILWAY LABOR ACT	2	2	-	-	2	-	-
ERISA**	119	76	-	-	76	-	-
OTHER LABOR LITIGATION	14	32	1	-	31	-	-
PROTECTED PROPERTY RIGHTS, TOTAL	7	17	-	-	17	-	-
COPYRIGHT	5	6	-	-	6	-	-
PATENT	1	9	-	-	9	-	-
TRADEMARK	1	2	-	-	2	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	719	1,041	6	2	1,033	-	-
SOCIAL SECURITY LAWS, TOTAL	4	21	1	20	-	-	-
DISABILITY INSURANCE	2	14	1	13	-	-	-
SUPPLEMENTAL SECURITY INCOME	2	6	-	6	-	-	-
RETIREMENT AND SURVIVORS BENEFITS	-	-	-	-	-	-	-
OTHER	-	1	-	1	-	-	-

Table X-5. (September 30, 2004—Continued)

Nature of Suit	2003	Total	2004					
			U.S. Cases		Private Cases			
			Plaintiff	Defendant	Federal Question	Diversity of Citizenship	Local Jurisdiction	
RICO***		50	27	-	-	23	4	-
STATE REAPPORTIONMENT SUITS	-	-	-	-	-	-	-	-
TAX SUITS	2	3	1	2	-	-	-	-
CUSTOMER CHALLENGE	-	-	-	-	-	-	-	-
FREEDOM OF INFORMATION ACT	-	1	-	1	-	-	-	-
CONSTITUTIONALITY OF STATE STATUTES	2	4	-	-	3	1	-	-
OTHER STATUTORY ACTIONS	271	341	11	8	322	-	-	-
OTHER ACTIONS, TOTAL	-	1	-	-	1	-	-	-

* COLLECTION OF DATA FOR THIS CATEGORY BEGAN ON JANUARY 1, 1997.
 ** ERISA = EMPLOYEE RETIREMENT INCOME SECURITY ACT.
 *** RICO = RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS.