

**PRODUCT LIABILITY ADVISORY COUNCIL (PLAC)
AMICUS PROGRAM
CASE SELECTION QUESTIONNAIRE**

We are very interested in considering cases of significance in the development of product liability law. Your assistance in answering the following questions completely, and in providing the documentation requested, will assure that the PLAC Case Selection Committee can conduct a thorough and timely review of the issues in your case.

When you complete the questionnaire, please list each question, followed by your answer. A completed example is attached.

PART I - CASE INFORMATION

1. Name of the Case:
2. Date PLAC's Amicus Brief must be filed:
3. Court in which PLAC's Amicus Brief will be filed:
4. Party in support of whom PLAC's Amicus Brief will be files:
5. Name of the individual person to contact with questions concerning potential PLAC submission:
6. Brief statement of the facts:
7. Exact procedural status of the case?
8. Is there a written opinion being appealed? If so, please attach.
9. What are the issues being appealed, or, what issues has the court agreed to hear?
10. Provide a brief summary of the argument on the issues that you believe are appropriate for PLAC to brief?
11. Why is it important that PLAC brief this case? What is the specific significance of this case in the development of product liability case law in the state or federal courts?
12. Who was trial counsel for all parties? Who is writing the appellate brief for the side being supported?
13. Is the brief being written by the person identified in #12 above available in draft form at this time? If so, please attach, if not, when will it be available?
14. Are any opposing briefs available? (attach)

15. Will the party whose position PLAC is being asked to support agree to PLAC's participation in this case? Please provide the name and phone number of the in-house attorney who is responsible for this litigation.
16. What other amici on either side have agreed to brief this case?
17. Has PLAC briefed this issue, or similar issue, before?

PART II - PROCEDURE FOR FILING BRIEF

18. Please attach a copy of the Court's Rules pertaining to amici.
19. Will PLAC have to file a petition for leave to participate as an amicus?
20. Is it customary to file both the petition for leave to file and the brief simultaneously?
21. Is it possible to file a petition for leave to file and then await the court's granting of the petition before submitting the brief?
22. Does submitting the brief with the petition for leave to file substantially increase the likelihood that the court will grant the petition?
23. In the case of discretionary review (e.g., a petition for review to a state's court of last resort) is it a requirement that an amicus join in the request for review in order to file an amicus brief on the merits if the review is granted?
24. Is it a matter of practice or custom for the court to decide the case based solely on the briefs submitted with the petition for review?

PART III - YOUR INFORMATION

Submitted by:

Name:

Firm:

Address:

City and State:

Telephone:

Fax:

E-Mail Address:

Date:

E-mail (for questionnaire)*: jharrison@plac.net (please confirm receipt)

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703-264-5300

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* PLAC requires submission of an electronic version of this completed questionnaire before consideration by the Case Selection Committee