

File & Serve Special Instructions

INDIANA STATE FAIR LITIGATION

MARION COUNTY SUPERIOR COURT

June 2012

- Cases will reside on File & Serve in the **IN Marion County Court**
- Case Class = **Civil**
- Case Type = **Civil Tort-Indiana State Fair Litigation**
- Court has petitioned Supreme Court to designate cases for electronic filing

CASE NAME	CASE NUMBER
Polet et al vs Mid America Sound Corp et al	49D021111CT044823
Vandam, Tammy Jean Estate vs Mid America Sound Corp et al	49D021111CT044823-001
Urschel, Janeen Beth vs Mid America Sound Corp et al	49D021111CT044823-002
Brennon, Alisha vs Mid America Sound Corp et al	49D021111CT044823-003
Porter, Tamara K vs Mid America Sound Corp et al	49D021111CT044823-004
Santiago, Christina Estate vs Mid America Sound Corp et al	49D021111CT044823-005
BigJohnny, Alina R Estate vs Mid America Sound Corp et al	49D021111CT044823-006
Vinnegar, Enoch vs Mid America Sound Corp et al	49D021111CT044823-007

- While the Polet case is its own underlying action, its service list will include all parties from the other IN State Fair cases. Parties who are not specifically named in the Polet case will be designated with a party type of “**Consolidated Party.**”
- The Polet case serves as the repository for all documents filed and served in all cases. As a result, pleadings that are filed in other cases will also need to be submitted into the Polet case.
 - Pleadings that apply **ONLY** to the Polet case should only be filed and served in the Polet case (**use File and/or Serve in an Existing Case**).
 - Pleadings that apply to one or more of the other cases must be filed and served in all applicable cases **PLUS** the Polet case (**use File and/or Serve in a Multiple cases**).

Since all parties are to be served all pleadings in this litigation:

- The Polet case will include its own parties AND consolidated parties, thus all parties will be served with all pleadings.
- Parties not named in the Polet case will appear in the Polet case as Consolidated Party (see chart below).
- IMPORTANT:** It is the responsibility of the law firms to ensure the service lists are correct!

Using the Multi Case Filing Feature (Polet +1 or more cases)

Since every pleading submitted into an underlying case MUST also be submitted in the Polet case, firms will frequently use the Multi Case Filing Feature:

Select Court and/or Case for Filing

File and/or Serve in an **Existing Case** File a **New Case** File and/or Serve in **Multiple Cases**

To narrow the list below, select a court and/or enter the county and click **Find**.

Court:

Case Class: Case Name: Case Number:

- Click on F&S tab
- Select File and/Or Serve in Multiple Cases
- Select the Court, IN Marion County Court
- Select Case Class: Civil and enter **44823** in Case Number field;
- Click Find to pull up the 8 IN State Fair Cases
- Put a check to the left of the case name of the cases you are submitting your pleading(s) into.
- Select only the cases that your pleading applies to **in addition** to the Polet case.

If you need to submit a document into ONLY the Polet case, select File and/or Serve in an Existing Case to begin your transaction:

5/29/12 2:25 PM EDT

Select Court and/or Case for Filing

File and/or Serve in an **Existing Case** ←

File a **New Case**

File and/or Serve in **Multiple Cases**

Enter information in one or more boxes and click **Find**. Selection of a Court is required

State:

Case Name: ⓘ

Court:

Case Number: ⓘ

- Do NOT combine multiple documents together as 1 document. For example, upload a Motion for Summary Judgment as one document, the proposed order as one document and then upload your exhibits.
- You cannot upload more than 1 main document. Firms cannot upload in one transaction a Motion for Summary Judgment and a Motion for Enlargement of Time. These are two discrete motions and would be considered two main documents. You can upload the Motion for Summary Judgment and any supporting documentation in one transaction (i.e., motion, proposed order, exhibits, etc).
- Upload all proposed orders in an editable format (i.e., doc., .wp, .rft). This enables Judge Sosin to copy and edit the firm's proposed order.
- Firms can upload their documents in a variety of formats: .doc, .wpd., .pdf., rtf., gif., jpg.
- It is recommended that no one document be larger than 5MB and no one transaction be larger than 60MB.

It is important to be as specific as possible in completing the document title field on File & Serve's Documents Tab. Labeling your document title field properly will assist the firms and the courts with finding the documents quickly on the docket of the case.

Marion County Indiana's Rule 2-103 Format of Documents provides as follows:

1. All Electronically filed and served pleadings shall, to the extent practicable, be formatted in accordance with the applicable rules governing format of paper pleadings;
2. The electronic document title of each pleading or other document shall include:
 - a. Party or parties serving the document;
 - b. Nature of the document;
 - c. Party or parties against whom relief, if any, is sought; and
 - d. Nature of the relief sought (i.e., Defendant ABC Corporation's Motion for Summary Judgment).

File & Serve provides firms with the ability to securely exchange documents so they are not available for public access and are only viewable by the intended recipient of the document(s).

STEP 1:

To secure a document so that it is only available to the served recipients, select **Sealed, Electronic** from the Access dropdown menu located on the Documents tab.

For each document, complete each field and click **Attach Document**.

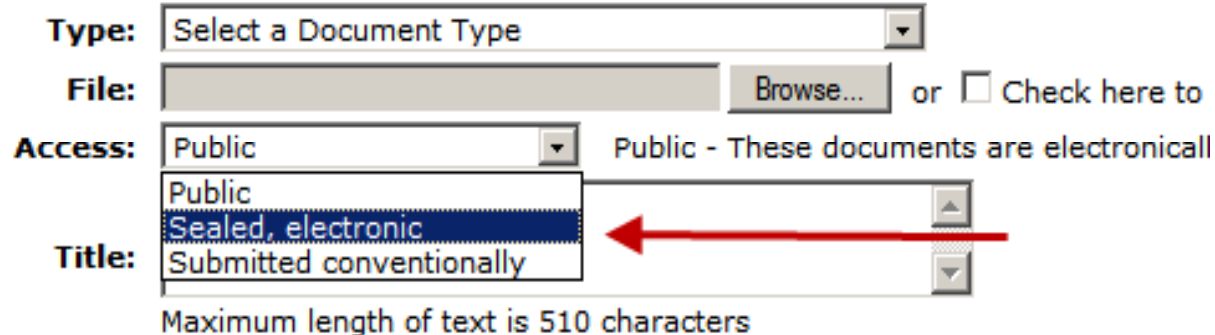
Type: Select a Document Type

File: Browse... or Check here to

Access: Public Public - These documents are electronicall

Title: Public
Sealed, electronic
Submitted conventionally

Maximum length of text is 510 characters



This option secures an individual document within a transaction. For example, if you are uploading a Motion for Summary Judgment and have 4 exhibits where one of them is confidential, you would only need to change the access option for the one confidential exhibit. Upload the rest of the documents keeping the access set to Public.

STEP 2:

On the Review & Submit Tab – there are 3 Delivery Options for delivery of your document(s). These options manage the security of the transaction.

Delivery Options: What do you want to do with this transaction? (pick one)

- File with the court and Serve selected parties
- Serve Only - Private (available only to sending firm and served firms)
- Serve Only - Public (available to anyone to purchase from LexisNexis(tm) File & Serve, except in e-service only jurisdictions and subject to case security poli

- a. **File with the court and Serve Selected Parties** files your document(s) with the court and serves the selected parties (if you are filing a confidential document, remember to selected “Sealed, Electronic” on the Documents tab).
- b. **Serve Only – Private** restricts access to only served recipients. If a firm was not served with this transaction, they cannot even see it on the docket of the case. If the document(s) you are serving is also filed with the court, it is not recommended to use this Delivery Option. This is typically used for Discovery, correspondence and non-public documents.
- c. **Serve Only – Public** is used when the documents submitted do not contain confidential information are filed with the court and considered to be public documents.

Marion County Court will be using the calendar feature of File & Serve for scheduling hearings and other court events in the Indiana State Fair Litigation. Please be sure to search the calendar for any important court dates before calling the court.

The Calendar Quick Guide is available on the File & Serve Resource Center.

Adding Amended Defendants

If plaintiff firms are filing and serving amended complaints through File & Serve, they must add new defendants using the Add Party button on the **Service** tab at the time the Amended Complaint is e-served through File & Serve. Remember that you must add the parties to BOTH the underlying case and the Polet case as a defendant.

You must serve any NEW defendants traditionally (sheriff, certified mail, process server).

The court will then update the Polet case with the correct party type of **Consolidated Party** for any new defendants who are added to an underlying case(s), but were not named in the Polet case.

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