Attorney Filer - PACT Act Case Opening Tips

(Revised 10/5/23 Pursuant to Master Case 7:23-CV-897 Case Management Order Number 2 at Docket Entry 23.) Attorneys are encouraged to review the "Camp Lejeune Water Litigation Information" link in the red banner at www.nced.uscourts.gov and this guide before opening a PACT Act case.

Before beginning, a note on proper PDF creation. The recommended method for converting and/or flattening any document to PDF for upload into CM/ECF is File>Print>Print As>Choose the PDF writing program on your computer. "Export to PDF" and other conversion tools do not adequately convert documents for use in CM/ECF.

Filers are encouraged to create, save, and convert documents to PDF before logging into CM/ECF.

There are several reasons for this suggestion. There is a maximum individual document size of 50 megabytes. Further, there is a maximum merge file (main document plus one or more attachments) size of 60 megabytes. The system does not provide reminders of the total file size used as a filer uploads documents into the system. In fact, the system will permit larger sized items to be uploaded and everything will appear normal until the filer tries to submit/commit the filing. If oversized files have been uploaded, the filer will then get the "spinning circle" and the system will advise that the filing failed.

A filer must know the file size of all documents!

If a filer must enter documents that exceed the maximum merge file size, refer to the separate instructional guide on the Court's CM/ECF tab entitled "Managing Oversized Filings."

Again, the recommended way to convert desktop created documents to PDF is to create and save each original document as a Word or WordPerfect document and then, while that saved version is still open, go to the tool bar in the user's word processing program. Click on "File" > "Print" > "Print As" > Select the PDF writing program on the computer. The document is not actually printing, it is converting and flattening the document in the background. Save this PDF version of the document for uploading into CM/ECF.

Further tips on how to successfully create and upload PDF documents can be found on this webpage under the CM/ECF tab in the instructional guide "Updated NextGen PDF Guidance."

To begin filing, log into Case Management/Electronic Case Filing (CM/ECF).

From the Navigation Bar select "Civil."



Official Court Electronic Document Filing System

Welcome to CM\ECF for the Eastern District of North Carolina

1. From the Navigation Bar select "Atty Open CV Case."





Complaints, Other Initiating Documents
Service of Process
Answers to Complaints
Other Answers

Motions and Related Filings <u>Motions</u> <u>Responses and Replies</u> Other Filings Seale

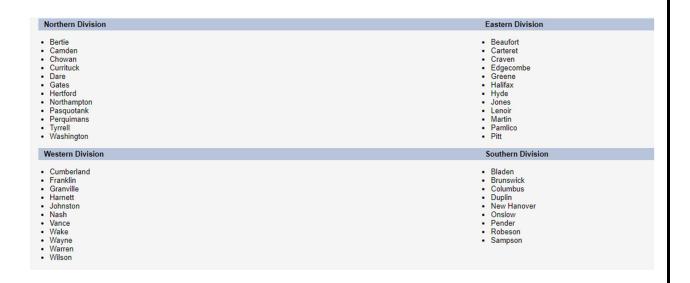
ADR Documents
Discovery Documents
Notices
Trial Documents
Appeal Documents
Other Documents

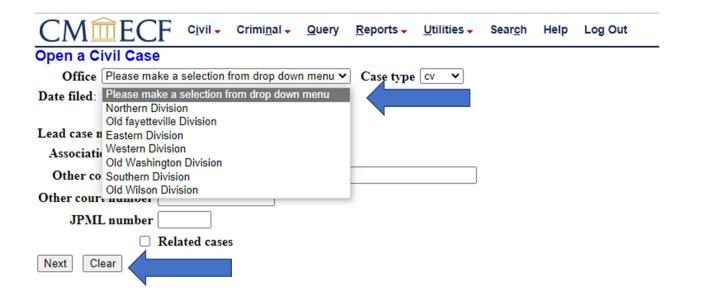
Sealed and Ex Parte Events

Sealed and Ex Parte Events

2. From the "Office" drop-menu, select the internal division of the Eastern District of North Carolina from which this case arises. Please refer to Local Civil Rule 40.1 for further guidance on this issue. For PACT Act Cases only, if a plaintiff does not reside within the Eastern District of North Carolina, the case should be filed in the Southern Division. Further, for PACT Act cases only, notwithstanding any Local Rule to the contrary, all Short Form Complaints that initiate a new case must be filed in the Southern Division of this District with a county designation of Onslow.

Select the "Office/Division" and then click "Next."





3. Continue with the entry of case opening data.

Review the information.

When complete, click "Next."

CMmECF civil	✓ Crimi <u>n</u> al ✓	<u>Q</u> uery	<u>R</u> eports →	<u>U</u> tilities →	Sear <u>c</u> h	Help	Log Out
Open a Civil Case							
Office Southern Division		~	Case type	CV 🕶			
Date filed: 2/13/2023							
Association type Other court name Other court number JPML number	V						
☐ Related ca	ses						
Next Clear							

4. Enter the "Cause of Action (804) Camp Lejeune Justice Act of 2022" and "Nature of Suit (360 P.I. Other)" information shown below.

Enter any other information as is appropriate for the case being filed.

Note that the county entered should be a county from the "Division" selected earlier in Step 3. (Unless the PACT Act Plaintiff lives outside of the Eastern District of North Carolina. In that instance scroll to the bottom of the county list and select "xx U.S. Outside District.) If initiating the case using the Short Form Complaint, the case must be filed in the Southern Division with a county designation of Onslow.

Much of the information on this screen is the same as the information from the JS 44 Civil Cover Sheet. If the litigant is not opting into the provisions of Case Management Order Number 2, the filer must remember to complete a hard-copy PDF version (flattened) of the civil cover sheet. This will later be entered as an attachment to the initiating document. If the filer is opting into the provisions of Case Management Order Number 2 by initiating a case with the "Short Form Complaint," a civil cover sheet is not required.

A filer may pay the filing fee on-line during the case opening process. Do so by selecting "fee status paid." A filer will have the opportunity to pay the filing fee later in the transaction.

Review the information.

Once finished, click "Next."





5. The system now prompts for the name of the first plaintiff. Spelling is important here as this entry is creating the face of the docket sheet. If more than one plaintiff is in this case, enter them into the system in the same order that they are listed on the initiating document. ONLY enter last name/first names in the name fields. Do not include information such as "On Behalf Of" in the name field. That information will be added later.

Enter the first plaintiff's name.

Then click "Search."



6. The example returns a negative search for any party by the name of John Plaintiff. Therefore, click on "Create New Party" to continue.



(Refer to pages 9-10 for notes on how to proceed IF the name of a party does show up in the search results.)

7. The system now presents the "Party Information" screen. Notice the "Role" status. This status will **ALWAYS** default to "defendant." For each party added to the database a filer **MUST** be sure to look at the role status and specifically define the role of the party. From the example the drop-list is used to define John Plaintiff as "plaintiff."

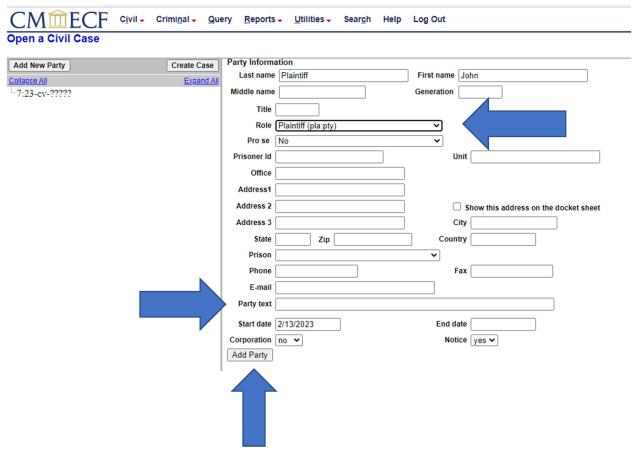
Again, a filer MUST define each party's role status as that party is added to the case. This step is important for correct document linking for later filings in the case.

Next, pay attention to the "Party Text" field further down. This field is for information such as "For the Estate of John Doe" or "as Personal Representative of the Estate of John Doe" or "On Behalf of John Doe." Do not add this type of information in the "Party Name" field from above.

Unless a particular party is truly proceeding Pro Se, leave the "Pro Se" field set to "No."

Review the information.

Click "Add Party."

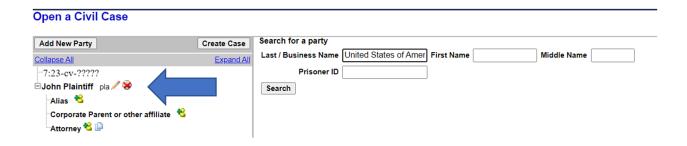


8. The information screen will now appear as shown below. Review the left side of the screen each time a party is added. Investigate to make sure that the notation beside each party name correctly reflects that party's role in the case. Note that party John Plaintiff has the notation "pla" beside his name. This reflects that this party is a plaintiff in this action. IF this information is not correct, click on the pencil icon and return to the previous screen. Once there, change the party role. Then click "Update" and return to the below "Search for a party" screen.

A filer will be given the opportunity to add another party.

Please use "United States of America" as opposed to "UNITED STATES OF AMERICA" when filing cases asserting a claim under the PACT Act.

Click "Search."

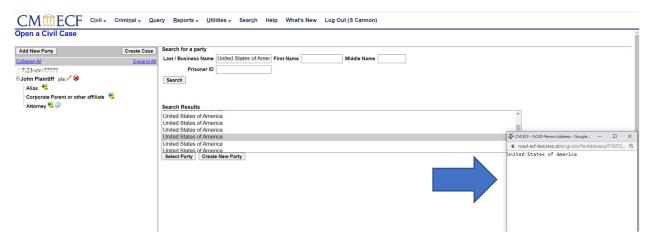


9. The system returned several parties named "United States of America." If a party name is found, a filer may highlight it by putting the curser over the existing party name and left clicking once on the mouse. To find further information on this party, double click on the highlighted name.



A small information window will open.

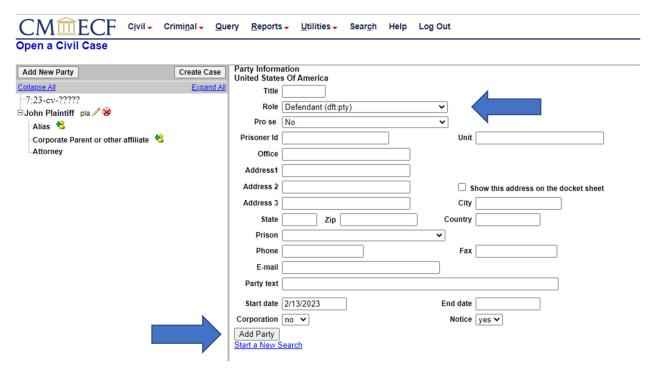
If identifiers (address, phone number) and so forth have previously been entered for this existing "party" and this "party" is the same as the party for the case being filed, close the information box, leave this party highlighted, and click "Select Party" to pull this existing party into the case being filed. If the small information box contains identifiers showing this party is not the same, close the information box and click on "Create New Party" in order to proceed.



10. The system will again default the party role to "defendant" for the United States of America and in this instance, that is correct.

Again, check the party role status for EACH name added to the system. The system will ALWAYS default to a role status of "defendant."

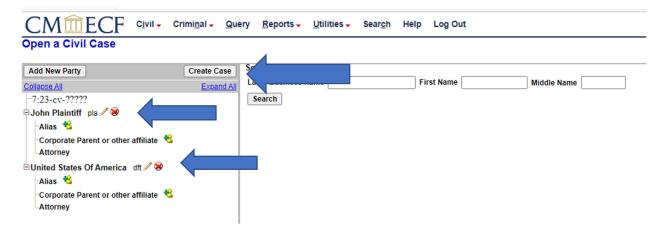
Now click "Add Party."



Continue cycling through the "Search for a party" screen until all parties have been added to the case with their respective roles defined.

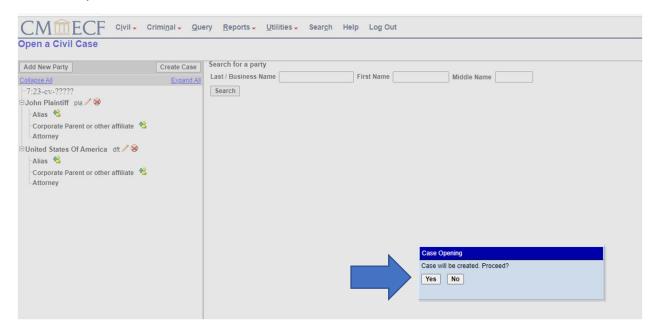
Review the information.

Once all parties have been added click on "Create Case."



11. The system will now present a message seeking confirmation that the case should in fact be created.

To proceed, click "Yes."



- 12. The new case number, 23-17, is presented. The full case number is 7:23-CV-17 because the action filed is a Southern Division (7) civil (CV) case filed in the year 2023 and this case is the 17th one for this division/year.
 - 7: = Southern Division Case
 - 5: = Western Division Case
 - 4: = Eastern Division Case
 - 2: = Northern Division Case

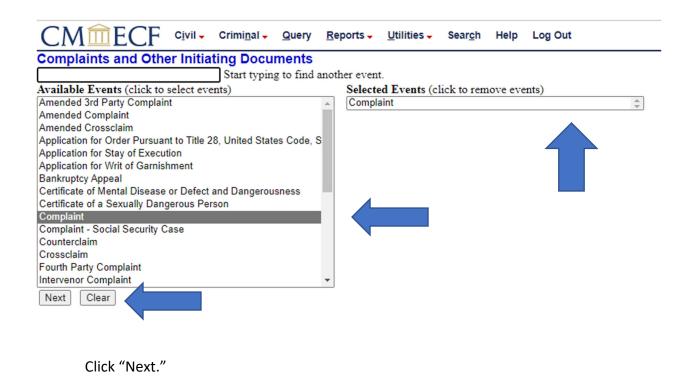
Click on "Docket Lead Event" so that the initiating case document can immediately be entered.



13. A "Complaint" is being filed in this example. (Regardless of whether the case is being initiated by opting into the Case Management Order Number 2 provisions allowing for the use of the "Short Form Complaint," the event here is still the "Complaint." If filing a "Short Form Complaint" in a pre-existing case pursuant to Section VI of Case Management Order Number 2 [DE-23] in 7:23-CV-897, use the event "Amended Complaint.") Left click on "Complaint" in the "Available Events" list. The event will now appear in the "Selected Events" box on the right. If an incorrect event appears in the "Selected Events" box, click in the "Selected Events" box and remove the wrong event. Then return to the "Available Events" list and select the correct item. Select only one item for the "Selected Events" box.

Counsel must be sure to verify that the filing attorney is also the signing attorney for this document. (Refer to the CM/ECF Policy and Procedures Manual Section IV.D.1.)

Note: For a new case, a plaintiff who is opting into the provisions of Section VI of Case Management Order Number 2 [DE-23] in 7:23-CV-897 may file the "Short Form Complaint" without a JS 44 Civil Cover sheet and without the disclosures usually required by Local Civil Rule 7.3(a)



14. The system will prompt for the case number. Since this is a continuation from the case opening, the system will remember the prior case number. Click "Next" to proceed.



15. The system will now present a "ghost screen." Click "Next."



Complaints and Other Initiating Documents 7:23-cv-00017 Plaintiff v. United States Of America



16. The system will now prompt for the selection of the filer of this document. Place the cursor over "Plaintiff, John (pla)" and left click on the mouse. The plaintiff will be highlighted in blue.

Click "Next."



17. The system shows the "Attorney/Party Association" screen. (This **IS NOT** a notice of appearance. Each attorney will file a separate Notice of Attorney Appearance in each case in which they participate.) This screen is simply creating the association between the party and the attorney on the face of the docket sheet. The first check box creates the association. The last check box reminds the system to send electronic notices to e-filer associated attorneys. (If the first and third boxes are unchecked, electronic notices will NOT be issued.) The middle box simply identifies this attorney as lead if there are multiple attorneys for the party.

Click "Next."



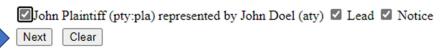
Complaints and Other Initiating Documents

7:23-cv-00017 Plaintiff v. United States Of America

The following attorney/party associations do not exist for the above case(s).

Please check the box on the left of the screen for associations which should be created.

If the association should not be created, be sure the box is unchecked<



18. The system now prompts for whom this filing is against. In this instance a filer might select "All Defendants" on the right under "Select Group" or simply left click once on the "United States of America (dft)" so that the party becomes highlighted in blue.

Click "Next."

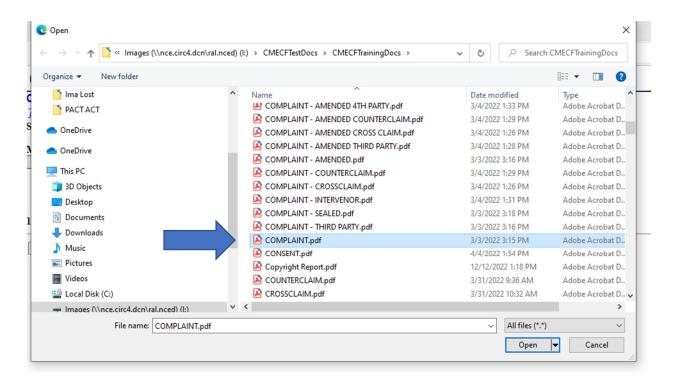


19. A filer may now upload any document(s) for the case.

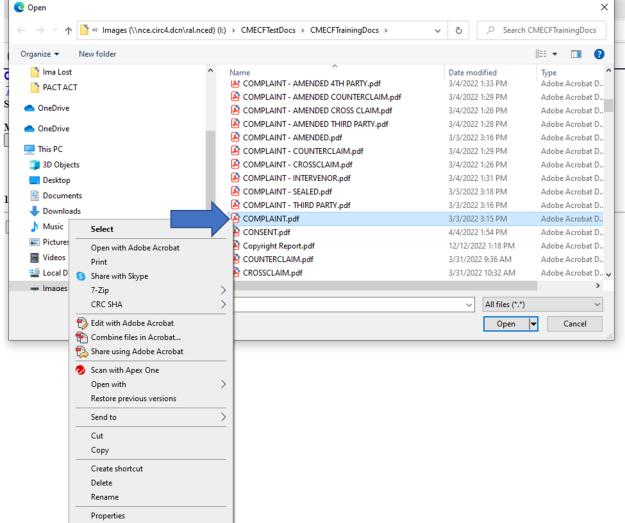
Begin by placing the cursor in the "Choose File" box and left click once.



Navigate to the correct file directory and find the document to be filed. Place the cursor over the document and left click once so that the file name is highlighted. Then, right click once on the file to open the file and verify that the correct file has been selected. This is a highly encouraged best practices habit. File names are small. This is the ONLY opportunity to VERIFY that the correct document is being uploaded.



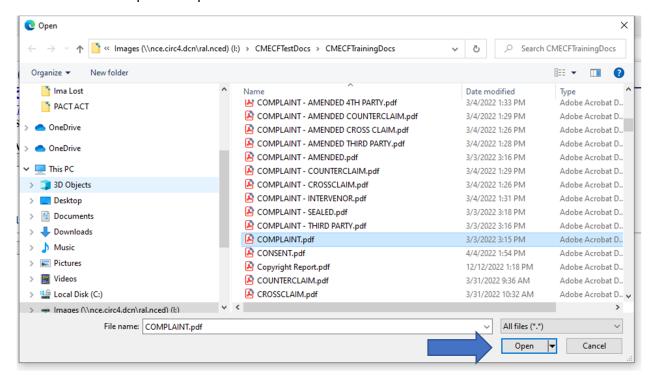
(Right click on the intended document and open the same with a pdf reader.) | <



The document will open. If correct, close the file. If not correct, close the file and return to the directory to find the correct file.



Click on "Open" to upload the file.



The file has now been uploaded. Proceed in this same manner to upload any attachments to the main document. Remember to "Categorize" and/or "Describe" each attachment separately. If there are (5) or more attachments to any main document, the first attachment must be an index. (Remember the maximum merge file size.)

Click "Next."



Again, if the filer is opting into the provisions of Case Management Order Number 2 [DE-23] in PACT Act Master Case 7:23-CV-897 by initiating their case with the Short Form Complaint, a JS 44 Civil Cover sheet is not required.

20. Answer the following screen as appropriate to the case being filed. Then click "Next."

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Comp	laints and Oth	er Initia	ting Docu	ments					
7:23-cv	/-00017-H Plaintif	ff v. Unite	d States Of	<u>America</u>					
Is this fi	iled with an Appli	cation to	Proceed Wit	hout Pre	payment of	Fees?			
or									
Is this a	pplication filed on	ı behalf o	f the USA?						
O Yes									
No									
Next	Clear								

21. Proceed as in any other case to pay the filing fee. In the "live" database a filer will have the option to make a payment with the "pay.gov" link by clicking "Next."



Once the filing fee is paid via "pay.gov" a filer will be returned to the following screen. Enter the receipt number and click "Next."



22. A filer will now see the filing summary screen. Filers are encouraged to stop here and review the information presented. Verify that this filing is being made in the correct case number, that the document is named correctly, that the receipt number has been captured, and that all attachments have been included. If this information is not correct click on "Civil" on the navigation bar and begin anew.

(Note that the free text field is used only for docket entry clarification purposes. This field is not used to enter any separate data such as "and motion for..." A filer should NOT combine unlike events.)

Click "Next."



23. A filer is now presented with the "Point of No Return Screen" shown below. This is a filer's last opportunity to abort this transaction. (To do so click on "Civil" on the navigation bar and begin anew.)

Review the summary once more!

The text shown below in yellow is exactly what will appear on the public docket entry.

Click "Next" to proceed and commit this filing.



24. A filer is now presented with the Notice of Electronic Filing or NEF.

The NEF will provide the full case number and the document number assigned to the filing by the CM/ECF system.

This same information will be sent to the filer via email. The email version of the NEF will contain the link for accessing the filer's ONE FREE LOOK at the file stamped version of the document and any attachments thereto.

In order to access the one free look via the email notice, click on the "Document Number" NOT the docket number.

Open and print or save a copy of each document/attachment. If a user forgets to print/save the item and closes the one free look, that user will be prompted to log into PACER and will be charged for viewing the documents(s) a second time.

The free look link in the email notice will expire after the first use or (15) days, whichever happens first. After this, the user will be billed to view the document(s).



Complaints and Other Initiating Documents 7:23-cv-00017 Plaintiff v. United States Of America

U.S. District Court

EASTERN DISTRICT OF NORTH CAROLINA

Notice of Electronic Filing

The following transaction was entered by Doel, John on 2/13/2023 at 2:30 PM EST and filed on 2/13/2023

Case Name: Plaintiff v. United States Of America

Case Number: 7:23-cv-00017-H Filer: John Plaintiff

Document Number: 1

Judge(s) Assigned: Malcolm J. Howard (presiding)

Docket Text:

COMPLAINT against United States Of America (Filing fee \$ 402 receipt number 2300076Ral.) (Attachments: # (1) Civil Cover Sheet) (Doel, John)

7:23-cv-00017-H Notice has been electronically mailed to:

John R Doel Jollymon1995@gmail.com, Scott_Cannon@nced.uscourts.gov

7:23-cv-00017-H Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP deecfStamp_ID=1114528487 [Date=2/13/2023] [FileNumber=1925360-0] [3a061a7f3a80d981e3e39d633a5620b39b4d7244d5ecaa5fb9be793dd1566403e7a 861b8a97898d3c285b82fae6b716db442368cd4beb4b0797985dbd5c70951]]

Document description: Civil Cover Sheet

Original filename:n/a

Electronic document Stamp:

[STAMP deecfStamp_ID=1114528487 [Date=2/13/2023] [FileNumber=1925360-1] [2baee7d6b350e061069580becbfb833fc55aacac00497f30a090b34569addb694d8 2e4ca4b35224106898c704a527dca1bd2dac9b157196f53c8344055e545b9]]

25. This is a sample of a docket sheet for a new PACT Act case.

U.S. District Court EASTERN DISTRICT OF NORTH CAROLINA (Southern Division) CIVIL DOCKET FOR CASE #: 7:23-cv-00017-H Internal Use Only

Plaintiff v. United States Of America Assigned to: Senior Judge Malcolm J. Howard Demand: \$1,000,000 Cause: Camp Lejeune Jutice Act of 2022

<u>Plaintiff</u> John Plaintiff Date Filed: 02/13/2023 Jury Demand: None Nature of Suit: 360 P.L.: Other Jurisdiction: U.S. Government Defendant

represented by John R Doel

Law Office of John Doel 123 Doel Drive Ste 123 Raleigh, NC 27616 919-456-8765 Email: Jollymon1995@gmail.com ATTORNEY TO BE NOTICED

V.

Defendant

United States Of America

Date Filed	#	Docket Text
02/13/2023	3 1	COMPLAINT against United States Of America (Filing fee \$ 402 receipt number 2300076Ral.) (Attachments: # 1 Civil Cover Sheet) (Doel, John) (Entered: 02/13/2023)

26. Remember to file a Notice of Attorney Appearance and to file any Disclosure Notices required by Local Civil Rule 7.3(a). Counsel not admitted to practice in the Eastern District of North Carolina are required to file the Pro Hac Vice motion found here.

10_11_23 Revision of 03_08_23 Revised Version