

Form 13

~~A Disclosure of Corporate Affiliation and Financial Interest which, as prescribed by 28 U.S.C. § 455, must be made when a corporation is a party to any action and the corporation as a subsidiary or affiliate of any publicly owned American or foreign corporation not named in the action. The attorney of record must notify the clerk of the court in writing of the identity of the parent or affiliate corporation and the relationship of the party and the parent or affiliate corporation.~~

~~A Disclosure must be made in all actions described in 28 U.S.C. § 1581. In an action described in 28 U.S.C. § 1581(a) or (b), the attorney of record for the plaintiff also shall notify the clerk of the court in writing of the identity of the ultimate consignee or real party in interest if different from the named plaintiff.~~

~~A Disclosure must be made when a trade association is a party to the action. The attorney for the trade association shall notify the clerk of the court in writing of the identity of each publicly owned American or foreign member of the trade association.~~

~~If any trade association or corporate party seeks to intervene or appear as amicus curiae, the entity's attorney is also required to comply with the notification requirements set forth above.~~

~~The required disclosure notification shall be made on Form 13. The form will be provided by the office of the clerk of the court when the first pleading or other paper is filed by a party or when a motion to intervene or appear as amicus curiae is filed.~~

DISCLOSURE OF CORPORATE AFFILIATIONS AND FINANCIAL INTEREST*

1. When a corporation is a party to any action, the attorney for the party shall notify the clerk of the court in writing of the identity of the entity's parent corporation(s), all publicly-owned companies owned by the party, any publicly-held company that has a 10% or greater ownership interest in the entity, and any publicly-owned affiliate of the entity and the relationship between the party and each identified company.
2. The attorney for the party on whose behalf the form is filed shall, in addition to the information required in paragraph 1, notify the clerk of the court in writing of the (i) identity of the real party in interest and (ii) in an action described in 28 U.S.C. § 1581 (a) or (b), the identity of the ultimate consignee if different from the named party.
3. When a trade association is a party to an action, the attorney for the trade association shall notify the clerk of the court in writing of the identity of each publicly-owned member of the trade association.
4. The notification required of a corporate party or trade association also shall be made by the attorney for any corporation or trade association seeking to intervene, or appear as *amicus curiae*, in any action.

SPECIFIC INSTRUCTIONS - FORM 13

5. The required notification shall be made on a Disclosure Statement Form 13 when the first pleading or other paper is filed by a party, or when a motion to intervene or appear as *amicus curiae* is filed.
6. In accordance with Rule 3(i), if any the information required changes after the form is filed, and before a final judgment is issued, the attorney for the party or *amicus curiae* must file an amended form within seven (7) days of the change(s).
7. When a corporation is a party to any action and the parent corporation(s) is not publicly-known or disclosable, the attorney for the party may include the reference to the parent corporation(s) on a separate page to be submitted confidentially with the Court.
8. "Third-party litigation funding" refers to an arrangement where a non-party (including government organizations) pays some or all of a party's attorney's fees, costs, or expenses specific to the matter for which this form is submitted. It does not include funding in the nature of contingency-fee arrangements, insurance, or ordinary personal and bank loans. The identity of a third-party litigation funder who is a member of a trade association on whose behalf this Form is submitted must be disclosed only if it is a publicly traded company. When a party considers the identity of a funder confidential, the attorney for the party may identify the funder on a separate page to be submitted confidentially with the Court.

*See generally: 28 U.S.C. § 455.

(As added July 23, 1993, eff. July 23, 1993; and amended ____; eff. ____.)