

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: LATEX GLOVES PRODUCTS : MDL Docket No. 1148
LIABILITY LITIGATION :
: ALL CASES

**PROPOSED CASE MANAGEMENT ORDER NO. 24
RE PROCEDURES FOR RESOLUTION OF DISPUTES ARISING
DURING DEPOSITIONS**

AND NOW this 27th day of January, 1998, upon conference, the following procedures shall govern resolution of disputes that arise during depositions:

1. General Procedures

Except as is expressly provided in paragraph 2 below, discovery disputes that arise during a deposition shall be resolved by submission to the Special Master, according to the same procedure set forth in paragraph 2 of Case Management Order No. 20 governing disputes in regard to the adequacy of responses to written discovery.

2. Procedures for Disputes That Arise During Depositions and Require Immediate Resolution

(a) Where a dispute or disputes arise at a deposition and one or more parties believe an immediate resolution is necessary to avoid the re-scheduling of the deposition or a significant disruption of the discovery schedule, the Special Master may be telephoned.

(b) If the Special Master is unavailable, U.S. Magistrate Judge Scuderi may be contacted.

(c) In the event that both the Special Master and the Magistrate Judge are unavailable, the parties may contact the Court.

(d) A telephone conference having been held, the ruling or direction of the Special Master, the Magistrate Judge, or the Court shall be recorded in the deposition. The deposition shall then proceed according to such ruling or direction. If the ruling or direction is that a witness must answer a question or questions despite an objection based upon claim of privilege or work product, the objecting party shall not be deemed to have withdrawn or waived its objection.

(e) If the Special Master, the Magistrate Judge, and the Court are not available by telephone during the deposition, the dispute shall be noted for the record and the deposition shall proceed with respect to all other issues. Thereafter, the dispute shall be presented to the Special Master as provided in paragraph 1 above.

3. The provisions of CMO No. 6 are hereby superceded to the extent inconsistent with this CMO.

Edmund V. Ludwig, J.