

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

IN RE: LATEX GLOVES : MDL Docket No. 1148
PRODUCTS LIABILITY :
LITIGATION : This Document Relates
: To All Cases

**CASE MANAGEMENT ORDER NO. 28
MODIFICATION OF BRIGHT-LINE TEST PROCEDURES**

AND NOW, this ____ day of March, 1998, upon conference, the portion of Case Management Order No. 17, entitled Procedure For Application And Resolution of the Bright Line Test is modified to include new deadlines for certain required actions as follows:

1. Promptly after completion of pretrial discovery relevant to product identification issues in an individual action, plaintiff's counsel and counsel for any defendant believing it should be dismissed from the action entirely or from any counts of the complaint by application of the bright-line test shall meet and confer on that issue.
2. If counsel agree on a dismissal of defendant, an appropriate consent order shall be prepared and submitted to the Court. If counsel agree that no dismissal is appropriate, no further action shall be required. If the parties do not agree, either party may submit the dispute to the Special Master no later than 28 days after the close of discovery relevant to product identification issues.
3. The Special Master shall promptly conduct a hearing on the dispute and shall deliver an advisory opinion to the parties no later than 14 days after the hearing.

4. Promptly after receipt of the advisory opinion, plaintiffs' and defendants' counsel shall meet and confer on the issue.
5. If counsel agree on a dismissal of defendant, an appropriate consent order shall be prepared and submitted to the Court. If counsel agree that no dismissal is appropriate, no further action shall be required. If the parties do not agree, either party may submit the dispute to the Court in accordance with a procedure set by the Court.

Edmund V. Ludwig, J.