

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

IN RE: ASBESTOS PRODUCTS :
LIABILITY LITIGATION (No. VI) : Consolidated Under
CERTAIN PLAINTIFFS : MDL DOCKET NO. 875

FILED

OCT 13 2010

v.

CERTAIN DEFENDANTS : MICHAEL E. KUNZ, Clerk Transferred from Various
By _____, Dep. Clerk Districts

ORDER

AND NOW, this **12th** day of **October, 2010**, it is hereby **ORDERED** that hearings on all pending opposed motions, including summary judgment, in the cases listed in exhibit "A", attached, will be held on **Tuesday, November 2, 2010 at 10:00 a.m.** in Courtroom 11A, James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

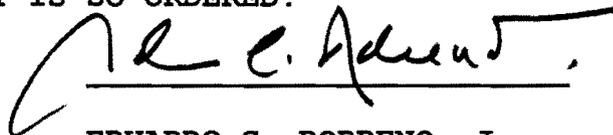
It is further **ORDERED** that this conference constitutes the final pre-remand conference in each of these cases. If there are no pending motions remaining in the cases listed in exhibit "A" counsel should be prepared to inform the Court at the Conference as to the status of the case. Failure to appear at the conference may result in the dismissal of the case.

It is further **ORDERED** that if the case has satisfied the factors listed in MDL-875 Administrative Order no. 18, the Court will file a suggestion of remand with the Judicial Panel on Multidistrict litigation.

It is further **ORDERED** that if the remaining viable defendants in any of these cases are settled or dismissed, Plaintiff shall inform the Court of these settlements or dismissals and provide proposed orders for the Court to review, prior to the date of the conference. Plaintiff shall also inform the Court if they wish to dismiss the entire case as to any remaining viable defendants, and whether or not the case should be moved to the "bankruptcy-only" docket.¹

It is further **ORDERED** that this order scheduling the final pre-remand conference for Tuesday, November 2nd, at 10:00 a.m. supersedes any previously entered scheduling order, except those entered by a magistrate judge.²

AND IT IS SO ORDERED.



EDUARDO C. ROBRENO, J.

¹ If this information is provided to the Court prior to the hearing date, the Court will excuse counsels' appearance on any case that is not set for argument on summary judgment.

² If any of these cases have been referred to one of the MDL-875 Magistrate Judges and is subject to a separate scheduling track, please inform the Court and the case will be removed from the list. The Magistrate Judges will be handling these cases in the context of the individual scheduling orders they have entered in individual cases or groups of cases referred to them.

Additionally, the parties should notify the court of any case with an amended scheduling order for which the time for summary judgment motions has not yet passed.

EXHIBIT "A"

2:09-cv-73800-ER	THERESE SAMMARTINO
2:09-cv-73800-ER	ARMANDO SAMMARTINO
2:07-cv-63017-ER	MARY BROWN
2:07-cv-62864-ER	REBECCA DINGESS
2:07-cv-62864-ER	ROBERT DINGESS
2:07-cv-62865-ER	TAMMI BROCK
2:07-cv-62866-ER	THERMAN BURDETTE
2:07-cv-62869-ER	DREW EVANS
2:07-cv-62869-ER	SHIRLEY EVANS
2:07-cv-62874-ER	FRANKLIN MODLEY
2:07-cv-62874-ER	PATRICIA MODLEY
2:07-cv-62874-ER	ROBERT MODLEY
2:07-cv-62894-ER	ANNA SMITH
2:07-cv-62934-ER	LENA FUGITT
2:09-cv-70503	BESSIE HALL
2:07-cv-63082	GLENNA MCELHONE