

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

IN RE: ASBESTOS PRODUCTS : MDL DOCKET No. 875  
LIABILITY LITIGATION (No.VI) : (MARDOC)  
: :  
CERTAIN PLAINTIFFS : :  
: : CIVIL ACTION NO.  
v. : 2:02-md-875 and certain cases in  
: Groups 3 through 7  
CERTAIN DEFENDANTS :

**ORDER**

And now, this 21st day of May, 2013, upon consideration of the joint motion of certain defendants to preclude use by plaintiffs of certain co-worker evidence in Groups 3-7 (Doc. 2201), the similar motion of defendant North American Trailing Company (Doc. 2204), and the response by plaintiffs (Doc. 2232), it is hereby ORDERED that the motions are GRANTED. Plaintiffs have not provided any reason for not being able to meet the applicable fact discovery deadlines. Therefore, as to co-workers who were designated as of a Group's fact discovery end date as not being available for deposition or that plaintiffs "will supplement" required co-worker information, plaintiffs are precluded from using such co-worker's statement or testimony as to cases in that Group.

BY THE COURT:

/s/ELIZABETH T. HEY

---

ELIZABETH T. HEY  
UNITED STATES MAGISTRATE JUDGE