

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

IN RE: ASBESTOS PRODUCTS : Consolidated Under MDL 875
LIABILITY LITIGATION (No. VI) :
 :
VARIOUS PLAINTIFFS :
 :
v. : Newly Filed Cases Transferred
 : to MDL 875 in May 2011
 :
VARIOUS DEFENDANTS :

FILED

JUN - 8 2011

O R D E R

STATUS AND SCHEDULING CONFERENCE

MICHAEL L. KUNZ, Clerk
By _____ Dep. Clerk

AND NOW, this 7th day of **June, 2011**, it is hereby **ORDERED** that in the cases listed in Exhibit "A," attached, a status and scheduling conference will be held on **Tuesday, June 28, 2011, at 2:00pm** in Courtroom 11A, United States Courthouse, 601 Market Street, Philadelphia, PA 19106. Prior to the conference, counsel shall review and ascertain the status of each case. **Please review the Frequently Asked Question sheet attached to this Order for general information regarding cases in MDL 875.**

It is further **ORDERED** that prior to, or at, the conference, Plaintiff's counsel in each action must inform the Court as to the status of the case.¹

¹If a status update is submitted to the Court prior to the conference, appearance by Plaintiff's counsel is excused. Defense counsel may appear at the conference to ascertain the status of the case, but appearance by Defense counsel is not required. The results of the hearing will be posted on the MDL 875 website at: www.paed.uscourts.gov/mdl875u.asp.

It is further **ORDERED** that Plaintiff's counsel shall be prepared to provide the following information to the Court:

- a.) Each defendant with whom plaintiff has achieved resolution of his or her claim.
- b.) Each defendant that plaintiff now desires to dismiss from the action.
- c.) Each viable defendant that is still active in the case.

It is further **ORDERED** that, as to all viable, active defendants, counsel for the plaintiff in each case shall be prepared to report to the court:

- a.) Status of compliance with Administrative Order no. 12 as amended.
- b.) Any outstanding discovery.
- c.) Any discovery that is still needed and a timetable for its completion.
- d.) Whether the plaintiff has obtained a medical diagnosing

A status update should be made in writing, filed on the docket and emailed to the MDL 875 law clerk, emily_k_breslin@paed.uscourts.gov, or sent to:

The Honorable Judge Eduardo C. Robreno
Attn: MDL 875 Law Clerk
U.S. District Court, Eastern District of Pennsylvania
601 Market Street Room 2609
Philadelphia, PA 19106

report or opinion upon which the plaintiff now relies for prosecuting his or her claim, if so, counsel shall provide the name and address of the physician or medical provider who has supplied the diagnosing report or opinion.

e.) Any motions pending.

f.) Readiness for trial and a proposed trial date.³

It is further **ORDERED** that, prior to the hearing, Plaintiffs' counsel may provide the Court with a list of cases which may be dismissed with prejudice or dismissed as to the viable defendants and moved to the bankruptcy only docket. The letter should include the E.D. Pa case number, the name of the plaintiff(s), and whether the case should be dismissed with prejudice or dismissed as to the viable defendants and moved to the bankruptcy only docket. Those cases will be removed from the list, and appropriate orders will be entered.

AND IT IS SO ORDERED.



EDUARDO C. ROBRENO, J.

³ The court will order presumptively that any outstanding discovery be completed within 120 days from the date of the hearing.

Exhibit A

| DATE | PA E.D. # (11-) | TRANSFER # | NAME OF PLAINTIFF | TRANSFER DIST./DIV. |
|-----------|-----------------|------------|---|----------------------|
| 5/19/2011 | 66236 | 10-09724 | Jenkins, James A. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66237 | 10-09723 | Stevenson, Howard S. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66238 | 10-09722 | Shelton, John W. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66239 | 10-09721 | Monroe, William H., Jr. Personal Rep. of the Est. of Titus Randolph Payne, Deceased | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66240 | 10-09720 | McCullister, Sam | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66241 | 10-09719 | Horgensmeier, Donald D. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66242 | 10-09718 | Stanfield, DeWayne | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66243 | 10-09689 | Duran, Frank E., Jr. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66244 | 10-09716 | Denney, Edward L. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66245 | 10-09693 | Durbrown, Richard A. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66246 | 10-09692 | Sanchez, Steve S. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66247 | 10-09691 | Najera, Robert | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66248 | 10-09690 | Hailey, Leslie A. | VIRGINIA EASTERN -2 |
| 5/19/2011 | 66249 | 11-00206 | Vesi, Domnie J. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66250 | 11-00206 | Howard, Richard N. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66251 | 11-00206 | Chambers, Toby C. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66252 | 11-00206 | Patton, Richard L. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66253 | 11-00206 | Proffit, Billy T. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66254 | 11-00206 | Brewer, George S., Sr. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66255 | 11-00206 | Reynolds, Francis B. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66256 | 11-00206 | Evans, Jerry, Sr. | ILLINOIS SOUTHERN -3 |
| 5/19/2011 | 66257 | 11-08047 | Dick, Kee B. | ARIZONA - 3 |
| 5/19/2011 | 66258 | 11-00588 | Osterhaus, Kenneth | ARIZONA - 3 |
| 5/19/2011 | 66259 | 11-00683 | Mazzia, Joan and Donald | ARIZONA - 3 |
| 5/24/2011 | 66261 | 11-00495 | Richardson, Roy H. | ALABAMA NORTHERN -2 |
| 5/24/2011 | 66262 | 11-00495 | Thomas, Uman S. | ALABAMA NORTHERN -2 |
| 5/24/2011 | 66263 | 11-00495 | Rider, Steven D. | ALABAMA NORTHERN -2 |
| 5/24/2011 | 66264 | 11-00495 | Horton, Bobby D. | ALABAMA NORTHERN -2 |
| 5/24/2011 | 66265 | 11-00495 | Moy, Roger | ALABAMA NORTHERN -2 |
| 5/24/2011 | 66266 | 10-08091 | John, Thomas | ARIZONA - 3 |
| 5/24/2011 | 66267 | 11-00196 | Wall, Billy F. and Sandra F. | TEXAS EASTERN -2 |
| 5/24/2011 | 66268 | 11-01073 | Smith, William Andrew | NORTH CALIFORNIA -4 |
| 5/24/2011 | 66269 | 10-00344 | Antonelli, Diane Executrix of the Est. of Michael Harvey | CONNECTICUT - 3 |