

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

IN RE: ASBESTOS PRODUCTS	:	
LIABILITY LITIGATION (No. VI)	:	Consolidated Under
	:	MDL DOCKET NO. 875
JOHN AND REBA DELATTE	:	
	:	
v.	:	Transferred from the
	:	Northern District
	:	of Florida
VARIOUS DEFENDANTS	:	
	:	Case No. 09-69578
	:	

**FILED**

**FEB - 3 2011**

**O R D E R**

**MICHAEL J. KONZ, Clerk**  
By \_\_\_\_\_ **Dep. Clerk**

**AND NOW**, this **28th** day of **January, 2011**, it is hereby **ORDERED** that hearings on all pending opposed motions, including motions for summary judgment, in the cases listed in Exhibit "A", attached, will be held on **February 22, 2011 at 10:00 a.m.** in Courtroom 11A, James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.<sup>1</sup> This Order supercedes any previously entered Order concerning the date on which the hearing will be held and provides for a protocol to be followed by Plaintiffs' counsel prior to this hearing.<sup>2</sup>

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<sup>1</sup> Only parties who have pending opposed dispositive motions are expected to appear at the hearing. The Court will grant unopposed motions prior to or shortly after the hearing.

<sup>2</sup> If any of the listed cases have been referred to a Magistrate Judge, 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

It is further **ORDERED** that this conference constitutes the final pre-remand conference in each of these cases.

Therefore, prior to the hearing date, Plaintiffs' counsel must inform the Court as to the status of the case, which must fall into one of the following three categories:

(1) Case should be dismissed to the "**bankruptcy only**" docket, and a proposed order has been filed.

(2) Case has been **settled**, and a proposed order has been filed.

(3) The case complies with the factors set forth in Administrative Order 18,<sup>3</sup> and the case is ready to be remanded to the transferee court.

It is further **ORDERED** that if the case is ready to be remanded to the transferee court, Plaintiffs' counsel shall provide to the Court, prior to the hearing date, a list of all remaining viable defendants to be pursued at trial. The Court

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individual cases or groups of cases referred to them.

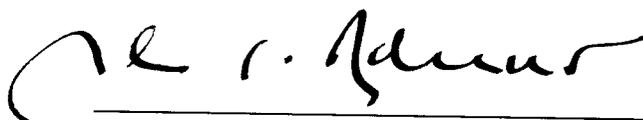
Additionally, if any of these cases are subject to a scheduling order in which the time for dispositive motions has not yet passed, please inform the Court and the case will be removed from the list.

<sup>3</sup> Administrative Order 18 is available at: [http://www.paed.uscourts.gov/documents/MDL/MDL875/Administrative\\_Order\\_18.pdf](http://www.paed.uscourts.gov/documents/MDL/MDL875/Administrative_Order_18.pdf).

will dismiss all other viable defendants, and stay proceedings against bankrupt defendants.

It is further **ORDERED** that if there are no pending motions remaining in the case, and counsel informs the Court as to the status of the case prior to the date of the hearing, appearance at the hearing is excused. Failure to appear at the hearing without a prior status update may result in the dismissal of the case.

**AND IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read "E. C. Robreno", written over a horizontal line.

**EDUARDO C. ROBRENO, J.**