

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.
VS. : 2:02-md-875
: :
CERTAIN DEFENDANTS :

ORDER ON PLAINTIFFS' DISCOVERY MOTIONS (GROUP ONE)

And now, this 20th day of April, 2012, upon consideration of certain motions filed by plaintiffs with respect to discovery in Group 1, it is hereby ORDERED as follows:

1. Plaintiffs' motion to compel directed at defendant Alaska Steamship Company (Doc. 851). Alaska Steamship has responded to the motion. (Doc. 982). The motion is GRANTED IN PART. Plaintiff is permitted to take a corporate designee deposition. However, that deposition should take place at the corporate witness's location, see Philadelphia Indem. Ins. Co. v. Fed. Ins. Co., 215 F.R.D. 492, 495 (E.D. Pa. 2003) (deposition of corporate officer or employee should take place at corporation's principal place of business or employee's place of employment), or the parties may agree to take it by telephone. To the extent the motion requests copies of prior corporate witness transcripts and responses to discovery, the motion is denied as moot, in light of defendant's representation that no such deposition transcripts exist and that its discovery responses were served after plaintiffs' motion was filed.

2. Plaintiffs' motion for leave to conduct Rule 30(b)(6) depositions (Doc. 1008).

The motion has been responded to by various defendants. (Docs. 1107, 1129, 1132, 1133, 1141, 1142, 1145). Judge Hey will hold oral argument on the motion via teleconference on Friday, April 27, 2012, at 2:00 p.m. Plaintiffs' counsel shall make arrangements for the call and notify the parties and court how to participate in the call.

3. Plaintiffs' motion to extend the Group 1 discovery deadline for conducting Rule 30(b)(6) depositions (Doc. 1024). The motion has been responded to by various defendants. (Docs. 1150, 1152). To the extent the motion requests an extension of the discovery deadlines, the motion has been granted by prior Order. (Doc. 1154). In other respects the motion is DENIED WITHOUT PREJUDICE. Plaintiffs request permission to conduct Rule 30(b)(6) depositions of defendants in all groups, not just those defendants who are in Group 1. However, plaintiffs have not offered sufficient grounds for advancing the timing of those defendants' corporate depositions, particularly in view of the discovery still to be completed in the earlier groups.

4. Plaintiffs' motion to compel defendants to fully respond to discovery (Doc. 887). The motion has been responded to by various defendants. (Docs. 980, 981, 999, 1003, 1004, 1007, 1009, 1011, 1012, 1014, 1019). The motion is DENIED WITHOUT PREJUDICE. The parties shall promptly confer with respect to the sufficiency of the responses and production and to raise disputes with Mr. Lyding. Any future motion must

identify each defendant for which plaintiffs are seeking relief and the grounds specific to each defendant.

BY THE COURT:

/s/ Elizabeth T. Hey

ELIZABETH T. HEY
UNITED STATES MAGISTRATE JUDGE