

**UNITED STATES DISTRICT COURT
for the
Eastern District of Pennsylvania**

Chambers of
LOWELL A. REED, JR.
Senior Judge

4001 United States Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA 19106-1705
215-597-0022

January 13, 2011

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Re: MDL 875 - The Remaining Cases Subject to the Indiana Statute of Repose

Dear Counsel:

I am in receipt of Mr. Cascino's December 1, 2010 report stating that all Indiana cases not involving miners/sellers of asbestos (i.e. Union Carbide, Rhone Poulenc, Amchem and Rapid American) or non-Indiana exposures have been dismissed.

I am also in receipt of Mr. Riley's January 10, 2011 letter suggesting that there are still many active Indiana cases which appear to be subject to the Indiana Statute of Repose.

I share Mr. Riley's concerns and have heard from several defendants with active Indiana cases who do not appear to be miners/sellers of asbestos about cases that do not appear to concern non-Indiana exposures.

Therefore, no later than **4:00 p.m. on Monday January 24, 2011**, plaintiffs' counsel shall submit to me, with a copy to Mr. Riley on behalf of the defense liaison committee, a report detailing, for each active case originally filed in Indiana, the bases for the claim against each defendant and an articulation of why the respective claim is not barred by the Indiana Statute of Repose. We will add this issue to the agenda and expect to set any necessary procedures at the January 26, 2011 mediation planning conference.

Sincerely,

/s/Lowell A. Reed, Jr.

LOWELL A. REED. JR.