

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
CERTAIN PLAINTIFFS :
: Transferor District Court
v. : Northern District of Texas
: :
CERTAIN DEFENDANTS :

ORDER

AND NOW, this **11th** day of **August 2009** it is hereby **ORDERED** that counsel in the cases listed in Exhibit "A", attached, will be required to hold a discovery planning conference, pursuant to Fed. R. Civ. P. 26(f), and submit to the Court a Fed. R. Civ. P. 26(f)(3) discovery plan by **October 11, 2009**.

It is further **ORDERED** that this discovery plan shall adhere to the format of the "discovery plan template", attached as Exhibit "B".¹

1. The Court has set presumptive deadlines of 120 days for completing discovery, and 30 days for each additional step of trial preparation thereafter.
2. If the parties fail to submit a discovery plan to the Court by October 11, 2009 a scheduling order will be entered by the Court imposing the presumptive deadlines in the case.
3. If the parties wish to deviate from the presumptive

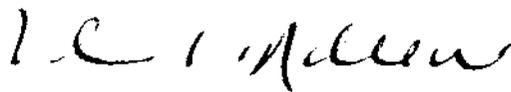
¹ Copies of the "discovery plan template" will also be available on the MDL 875 website, available at

deadlines, parties must submit either a written stipulation signed by all parties modifying the presumptive deadlines or an individual request to deviate from the presumptive deadlines. If good cause is shown, the Court will adopt the stipulation of the parties or grant the individual request.

4. The agreed upon discovery plan, once completed, must be electronically filed in the Eastern District of Pennsylvania. In the event that the case does not have an individual Eastern District of Pennsylvania civil action number, the discovery plan must be filed electronically on the original docket in the transferor district court.

It is further **ORDERED** that if Defendant believes Plaintiff's Administrative Order no. 12 submissions to be insufficient, they have an obligation to meet and confer in an attempt to resolve the problem. If the parties are unable to resolve the issue through the meet and confer process, they are required to contact Case Administrator Bruce Lassman for mediation.²

AND IT IS SO ORDERED.



EDUARDO C. ROBRENO, J.

² Case Administrator Lassman's contact information is

EXHIBIT "A"

<u>Case Number</u>	<u>Plaintiff</u>	<u>Flag</u>
2:07-cv-69254-ER	JUDY DOXTATER	TX-N
2:07-cv-69278-ER	JOHN CLANCY	TX-N
2:07-cv-69314-ER	KEITH DEMPSEY	TX-N
2:07-cv-69343-ER	NANCY HILL	TX-N
2:07-cv-69394-ER	SONJA BEAIRSTO	TX-N
2:07-cv-69394-ER	BRIAN BEAIRSTO	TX-N
2:07-cv-69449-ER	SEBASTIAN EBERTS	TX-N
2:07-cv-69449-ER	LOUISE EBERTS	TX-N
2:07-cv-69639-ER	BRYDON DILL	TX-N
2:07-cv-69660-ER	ARCHIE ANDREWS	TX-N
2:07-cv-69735-ER	ROSS BEDARD	TX-N
2:07-cv-69916-ER	HUGH EVERS	TX-N
2:07-cv-69943-ER	JEFFREY CAMPBELL	TX-N
2:07-cv-69948-ER	EMANUEL BOUCHER	TX-N
2:07-cv-69949-ER	ALBERTO IAFRATE	TX-N
2:07-cv-69950-ER	ALLEN COOPER	TX-N
2:07-cv-69951-ER	JOEL GOERTZ	TX-N
2:07-cv-69951-ER	JOEL GOERTZ	TX-N
2:07-cv-69970-ER	JOHN MARCECA	TX-N
2:07-cv-69972-ER	THOMAS DABBS	TX-N
2:07-cv-69973-ER	RAYMOND FEIST	TX-N
2:07-cv-69977-ER	DOMENIC D'AGNOLO	TX-N
2:07-cv-69977-ER	DOMENIC D'AGNOLO	TX-N
2:07-cv-69987-ER	RONALD EDMONDS	TX-N
2:07-cv-69989-ER	ROBERT BISSON	TX-N
2:07-cv-69990-ER	AUREL CHRETIEN	TX-N
2:07-cv-69992-ER	DAVID YOUNG	TX-N
2:07-cv-70010-ER	WILLIAM ANDERSON	TX-N
2:07-cv-70056-ER	HOWARD BADEY	TX-N
2:07-cv-70056-ER	HOWARD BADEY	TX-N
2:07-cv-70067-ER	ELEANER HICKEL	TX-N
2:07-cv-70067-ER	HENRY HICKEL	TX-N
2:07-cv-70077-ER	WAYNE BAND	TX-N
2:07-cv-70077-ER	CAROL BAND	TX-N
2:07-cv-70308-ER	DONALD ASH	TX-N
2:07-cv-70370-ER	RENE YVES	TX-N
2:07-cv-70371-ER	LEE GLEN	TX-N
2:07-cv-70395-ER	JAMES DURCAN	TX-N
2:07-cv-70397-ER	GERARD DUMOUCHEL	TX-N
2:07-cv-70411-ER	LEE GLEN	TX-N
2:07-cv-70425-ER	DAVID GENDRON	TX-N
2:07-cv-70436-ER	LAWRENCE JOICE	TX-N
2:07-cv-70449-ER	MARION GOODACRE	TX-N
2:07-cv-70449-ER	ROBERT GOODACRE	TX-N
2:07-cv-70466-ER	JANET FLUET	TX-N
2:07-cv-70466-ER	JEAN FLUET	TX-N
2:07-cv-70472-ER	BASIL HAGEN	TX-N
2:07-cv-70474-ER	EDWARD HAGEN	TX-N

EXHIBIT "B"
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS :
LIABILITY LITIGATION (No. VI) : Consolidated Under
PLAINTIFF : MDL DOCKET NO. 875
 :
v. : Civil Action No.
 : _____
 :
CERTAIN DEFENDANTS :

DISCOVERY PLAN TEMPLATE

Plaintiff Name(s) _____
E.D. Pa Case No. _____
Transferor Case No. (If no E.D. Pa No.) _____
Date that claim was originally filed _____
Plaintiff's Disease _____

1. All discovery must be completed by: [**Presumptive 120 days from date of 26(f) conference**] _____.
2. Plaintiff's expert reports must be filed by: [**Presumptive: 30 days from deadline in 1**] _____.
3. Defendant's expert reports must be filed by: [**Presumptive: 30 days from deadline in 2**] _____.
4. Rebuttal expert reports must be filed by: [**Presumptive: 30 days from deadline in 3**]. _____.
5. Any dispositive motions must be filed by: [**Presumptive: 30 days from deadline in 4**]. _____.
6. Responses to dispositive motions must be filed by: [**Presumptive: 30 days from deadline in 5**]. _____.
7. Replies to responses to dispositive motions, if any, must be filed by: [**Presumptive: 30 days from deadline in 6**]. _____.

Plaintiff's Counsel

Defense Counsel

Date