

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

IN RE: ASBESTOS PRODUCTS : Consolidated Under
LIABILITY LITIGATION (No. VI) : MDL DOCKET NO. 875

VARIOUS PLAINTIFFS

FILED

SEP 17 2013

Cases Identified In
EXHIBIT A
(attached)

v.

MICHAEL E. KÜNZ, Clerk
By _____ Dep. Clerk

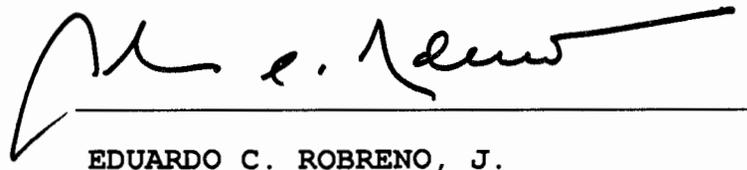
VARIOUS DEFENDANTS

RENEWED SCHEDULING ORDER

AND NOW, this **17th** day of **September, 2013**, Plaintiffs are hereby **ORDERED** to respond to the Court-ordered discovery requests (attached as Exhibit B) by **October 1, 2013**. No extensions of time will be granted for any reason. No supplements or amendments to the responses will be permitted for any reason. Plaintiffs may only identify witnesses (both fact and expert witnesses) - or other evidence - identified in opposition to the motions for summary judgment previously filed by Defendants in the action. With respect to expert reports, Plaintiffs are to re-submit to Defendants the report (as originally produced), and may provide an addendum to a report only if there is a new opinion based upon facts newly discovered after the September 4, 2013 hearing. Responses are to be filed electronically on the docket of the case by the date set forth above. In the event of a discovery dispute, the parties are to attempt first to resolve the dispute

between themselves, and then, if unsuccessful, are to contact Magistrate Judge Strawbridge, who will attempt to resolve the dispute informally. No discovery-related motions may be filed without prior approval of Magistrate Judge Strawbridge.

Depositions of fact witnesses are to be completed by **October 31, 2013**. Depositions of expert witnesses are to be completed by **November 14, 2013**. Motions for summary judgment are to be filed by **December 4, 2013**. Responses to those motions are to be filed by **January 3, 2014**. Replies (if any) are to be filed by **January 10, 2014**. Leave to file a surreply must be sought no later than three (3) days after the filing of a reply - and will only be granted in extraordinary cases. The parties are to include all arguments and appropriate evidence with their filing, without reference to (or incorporation of) the arguments or evidence set forth in previous summary judgment briefing in this case (or any other case). The parties are directed to include any request to have witness testimony (or other evidence) stricken in a response or reply brief - and are not permitted to file a separate motion for this purpose. The parties are hereby advised that counsel will be sanctioned for frivolous motions as appropriate.



EDUARDO C. ROBRENO, J.

Exhibit A

| Case Number | Transferor District | Case Name |
|-------------|---------------------|---|
| 08-89372 | IL-S | Mann v. Anchor Packing Company, The et al |
| 08-89984 | IL-N | Brigham v. A C And S, Inc. et al |
| 08-90122 | IL-N | Phyllis v. A.C.Ands., Inc. et al |
| 08-90263 | IL-N | Jackson v. Ac&S Inc et al |
| 08-90264 | IL-N | Nordberg v. A.B.B., Inc. et al |
| 08-90268 | IL-N | Centers v. A.W. Chesterton Company et al |
| 08-90287 | IL-N | Smith v. Catepillar Inc et al |
| 08-92122 | IL-C | Johnson v. A C & S Inc et al |
| 08-92210 | IL-C | O'Keefe v. Aga Gas Inc et al |
| 09-60287 | WI-W | Esser v. A. C. And S., Inc. et al |
| 09-60440 | WI-E | Jones et al v. Acands Inc et al |
| 09-60481 | WI-E | Sienko v. Acands Inc et al |
| 09-61333 | WI-E | Nuutinen v. Acands Inc et al |
| 09-62583 | IL-N | Woods v. Cbs Corporation et al |
| 09-64733 | IN-S | Stephens v. A C And S Inc et al |
| 10-61115 | WI-E | Bennington v. Cbs Corporation et al |
| 10-61429 | WI-W | Kumferman v. Asbestos Claims Management Corporation et al |
| 10-64567 | IL-S | Collins v. Ac&S Inc et al |
| 10-64606 | IL-N | Louis v. Cbs Corporation et al |
| 10-67443 | WI-E | Ahnert et al v. Cbs Corporation et al |
| 10-68127 | IL-C | Dover v. A C & S et al |
| 11-64036 | WI-E | Svatek v. Acands Inc et al |
| 11-66746 | WI-E | Zellner v. Aw Chesterton Company et al |
| 11-67767 | IL-N | Bulanda v. Aw Chesterton Company et al |
| 12-60003 | WI-E | Jurglanis v. Borg-Warner Inc et al |
| 12-60160 | IL-N | McNair v. Borg-Warner, Inc. et al |

EXHIBIT B

**Court-Ordered Discovery Requests Streamlining and Re-Organizing Discovery
(To Be Answered By Plaintiffs in CVLO Actions)**

1. Identify (a) each product that you contend caused or contributed to Plaintiff's asbestos-related illness, (b) which Defendant(s) you contend is liable for injury arising from this product, (c) the location(s) of exposure (e.g., state, city, worksite, and, if appropriate, location within the worksite), (d) the date(s) of exposure, (e) all witnesses* who will provide (or have provided) testimony regarding Defendant's liability to Plaintiff regarding that product, and (f) all other sources of evidence* on which you are relying to establish Defendant's liability to Plaintiff regarding that product. Please use the following format:

| Product | Liable Defendant | Location of Exposure | Date(s) of Exposure | Fact Witnesses re: Defendant's Liability* | Expert Witnesses re: Defendant's Liability* | Other Evidence re: Defendant's Liability* |
|-----------|------------------|--|---------------------|---|--|---|
| Product A | Defendant A | Worksite A, City A, State A | Date A – Date B | Witness A Witness B Witness C | Expert Witness A Expert Witness B Expert Witness C | Document A Document B Document C |
| | | Worksite B (Building X), City B, State B | Date C – Date D | | | |
| Product B | Defendant B | Worksite C, City C, State C | Date E – Date F | Witness D Witness E Witness F | Expert Witness D Expert Witness E Expert Witness F | None |
| | | Worksite D, City D, State D | Date G – Date H | | | |
| Product C | Defendant C | Worksite X, City X, State X | Date W – Date X | Witness X Witness Y Witness Z | None | Document X Document Y Document Z |
| | | Worksite Y, City Y, State Y | Date Y – Date Z | | | |

* Plaintiffs are limited to identifying only witnesses and other evidence relied upon in their oppositions to Defendants' summary judgment motions previously filed in this action. Therefore, any witness or piece of evidence not relied upon by Plaintiff in opposition to a given Defendant's previous motion for summary judgment (for example, Defendant A) may not now be identified as a witness with respect to that Defendant (i.e., Defendant A); and this is true even if that witness or piece of evidence was previously identified with respect to another Defendant (for example, Defendant B).

**Proposed Court-Ordered Discovery Requests Streamlining and Re-Organizing Discovery
(To Be Answered By Plaintiffs in CVLO Actions)**

2. For each defense raised by a Defendant in any summary judgment motion previously filed in this action (including but not limited to a statute of limitations, a statute of repose, the government contractor defense, and the sophisticated user defense), identify (a) all witnesses* who will provide (or have provided) testimony relevant to this defense and upon whose testimony you are relying to oppose the defense, and (b) all other sources of evidence* on which you are relying to oppose the defense. Please use the following format:

| Defense | Defendant(s) Raising/ Asserting Defense | Fact Witnesses re: Defense* | Expert Witnesses re: Defense* | Other Evidence re: Defense* |
|-----------|--|--------------------------------|--------------------------------------|--------------------------------|
| Defense A | Defendant A | Witness A Witness B | Expert Witness A | Document A |
| Defense B | Defendants B & C | Witness C | Expert Witness B Expert Witness C | None |
| Defense C | Defendants X, Y, & Z | Witness X | None | Document X |

3. Produce to Defendant(s) a copy of all evidence* identified in the final column of each of the charts you have created in response to Requests Nos. 1 and 2 above (i.e., "Other Evidence re: Defendant's Liability" and "Other Evidence re: Defense").

4. For each expert* upon whom Plaintiff intends to rely and who (a) has already been deposed in this action, or (b) is noticed for deposition by Defendant(s), produce to Defendant(s) a copy of the expert's report. Plaintiff is to provide (i) the report (as originally produced), along with (ii) any addendum containing opinions based on facts that are discovered from fact witnesses after the September 4, 2013 hearing held in this action. [Note: For experts not yet deposed, reports must be produced at least fourteen (14) days prior to the date of the scheduled deposition.]

INSTRUCTIONS FOR SERVICE AND FILING: Upon completion of these discovery requests, Plaintiffs are to serve the written responses upon Defendants by filing them on the docket of the action to which it pertains. (Plaintiffs are not to file on the docket the evidence produced.)

NO EXTENSIONS TO DEADLINE: No extensions to the deadline for these responses (as set forth by the Court) will be granted for any reason.

NO SUPPLEMENTS OR AMENDMENTS: No supplements or amendments to these responses (or the accompanying production of evidence) will be permitted for any reason.

MAILED:

| | | | |
|------------------|-------------------|--------------------|-----------------|
| ADAM MERGENTHAL | DEAN PANOS | JOEL POOLE | STEPHEN KRAVIT |
| ALBERT BOWER | DEMARCUS GORDON | JOHN DIXON | STEPHEN MAASSEN |
| BILLEE WARD | DENNIS DOBBELS | JOSEPH O'HARA | STEVEN CELBA |
| BRIAN FIELDS | DEVLIN SCHOOP | JOSHUA MURPHY | STEVEN SANDERS |
| C. KOEBELE | FRANCIS MORRISSEY | KENNETH GORENBERG | SUSAN GUNTY |
| CAROL PRYGROSKY | GARY SMITH | MELISSA SKILKEN | THOMAS MEYER |
| CLARKE GILLESPIE | J. GASS | MICHAEL CIESLEWICZ | THOMAS WILSON |
| DANIEL FARROLL | JACK BLOCK | PATRICK JONES | VALERIE LIPIC |
| DAVID BARTEL | JAMES CULHANE | R. MUTH | VANI SINGHAL |
| DAVID MORRIS | JAMES PECKERT | RICHARD BOLTON | W. WELSH |
| DAVID ROLF | JEROME KRINGS | ROBERT HALEY | WILLIAM HASSLER |
| | | | WILLIAM MCGRATH |

E-MAILED:

| | | | |
|------------------------|---------------------|--------------------|------------------|
| ADAM JAGADICH | DAVID SZLANFUCHT | JOSHUA LEE | R. WILLINGHAM |
| AHNDREA VANDENELZE | DAVID YBARRA | KATHRYN DOWNEY | RAYMOND FOURNIE |
| ALLEN VAUGHAN | DEMETRA CHRISTOS | KAYCE GISINGER | RICHARD LAUTH |
| AMANDA SUMMERLIN | DONALD CARLSON | KENT PLOTNER | RICHARD SCHUSTER |
| AMIEL GROSS | DOUGLAS KING | KEVIN KNIGHT | ROBERT MCCOY |
| ANDREW DETHERAGE | DOUGLAS PROCHNOW | KIMBERLY SARFF | ROBERT RILEY |
| ANDREW ROGERS | EDWARD CASMERE | KIRK HARTLEY | ROBERT SCOTT |
| BASIL DISIPIO | EDWARD KENNEY | KNIGHT ANDERSON | ROBERT SPINELLI |
| BRADLEY BULTMAN | EDWARD MACCABE | KURTIS REEG | ROGER HEIDENREIC |
| BRADLEY NAHRSTADT | EDWARD MCCAMBRIDG | LANCE MUELLER | RONALD HACK |
| BRIAN WATSON | EMILY ZAPOTOCNY | LAURIE MCLEROY | RYAN BARKE |
| BRYAN SKELTON | ERIC CARLSON | MAJA EATON | SARAH MILLER |
| C. DOUGLAS | GEORGE KISER | MARK FELDMANN | SCOTT SIMPKINS |
| C. EVERT | GREGORY GOLDBERG | MARK TIVIN | SHAWN BABIUCH |
| CATHERINE MOHAN | GREGORY LYONS | MARTIN SCHWARTZ | SHEHZAD HASAN |
| CATHY MOLCHIN | HOWARD MORRIS | MARY ANN HATCH | STEVEN BARBER |
| CHRISTI JONES | JAMES CARTER | MARY GAY | STEVEN KIRSCH |
| CHRISTOPHER LARSON | JAMES HOUSE | MATTHEW FISCHER | THOMAS GILLIGAN |
| CHRISTOPHER P.BANASZAK | JAMES MORRISON | MICAH INLOW | THOMAS GONZALEZ |
| CLARE RUSH | JAMES NIQUET | MICHAEL ANTIKAINEN | THOMAS KERNELL |
| CRAIG LILJESTRAN | JAMES SVAJGL | MICHAEL BERGIN | THOMAS NORBY |
| CRAIG TURET | JAMIE YADGAROFF | MICHAEL CASCINO | THOMAS ORRIS |
| CURTIS BAILEY | JASON KENNEDY | MICHAEL DENNING | THOMAS SCHRIMPF |
| CYNTHIA LOCKE | JEFFREY FULTZ | MICHAEL DRUMKE | THOMAS TARDY |
| DANIEL CHEELY | JEFFREY HEBRANK | MICHAEL ROSENBERG | TIMOTHY KRIPPNER |
| DANIEL DONAHUE | JEFFREY SCHIEBER | MICHAEL TRUCCO | TIMOTHY PAGEL |
| DANIEL GRIFFIN | JENNIFER STUDEBAKER | MICHAEL ZUKOWSKI | TIMOTHY PIKE |
| DANIEL JARDINE | JOHN CANONI | MITCHELL MOSER | TOBIN TAYLOR |
| DANIEL MANNA | JOHN FONSTAD | NEAL MCQUEENEY | TREVOR WILL |
| DANIEL MCGRATH | JOHN HELLER | NICOLE BEHNEN | WALTER JENKINS |
| DANIEL MULHOLLAND | JOHN SEEBOHM | NORA GIERKE | WALTER WATKINS |
| DAVID FANNING | JOSEPH REJANO | PATRICK LAMB | WILLIAM CROKE |
| DAVID SETTER | JOSEPH SULLIVAN | PAUL O'FLAHERTY | WILLIAM MAHONEY |
| | JOSHUA JOHANNINGM | PETER WANNING | WILLIS TRIBLER |