

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
: :
PLAINTIFF : :
: :
v. : CIVIL ACTION NO. _____
: :
DEFENDANT :

SCHEDULING ORDER

AND NOW, this ____ day of _____, 20__, it is hereby **ORDERED** that the deadlines¹ for this case are as follows:²

1. All discovery must completed by: **+120 days**.
2. Plaintiff's expert reports must be served by: **+1 month**.
3. Defendant's expert reports must be served by:
+1 month
4. Rebuttal expert reports must be served by:
+2 weeks

¹ This Court does not take lightly requests for extensions of deadlines outlined in the scheduling order. Any request for an extension of time must state the "good cause" basis for the modification pursuant to Federal Rule of Civil Procedure 16(b)(4). Additionally, the parties are reminded that, according to Local Rule of Civil Procedure 7.4, no stipulation to extend deadlines is effective until approved by the Court.

² Defendants must file an answer pursuant to the Federal Rules of Civil Procedure (as opposed to any state rules of civil procedure) if they have not already done so.

5. Summary Judgment motions must be filed by: **+1 month**
6. Responses are due: **+1 month**
7. Replies, if any, are due: **+2 weeks**
8. A final pre-remand hearing, including oral argument on all opposed summary judgment motions, will be held on **[approximately] +1 month after responses due (#6) at 10:00am in Courtroom 11A, 601 Market St., Philadelphia, PA 19106.**

It is further **ORDERED** that the final pre-remand hearing and oral argument on opposed motions for summary judgment constitutes the final pre-remand conference in the case. Therefore, prior to the hearing date, Plaintiffs' counsel must inform the Court³ as to the status of the case, which must fall into one of the following four (4) 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) Case complies with the factors set forth in Administrative Order 18,⁴ and the case is ready to be **remanded** to the transferee court.

³ **A status update should be made in writing, filed on the docket AND either emailed to the MDL 875 law clerk, Michele_Ventura@paed.uscourts.gov, or sent to:**

The Honorable Judge Eduardo C. Robreno
Attn: MDL 875 Law Clerk
U.S. District Court, Eastern District of Pennsylvania
601 Market Street Room 2609
Philadelphia, PA 19106

⁴ Administrative Order 18 is available at:
http://www.paed.uscourts.gov/documents/MDL/MDL875/Administrative_Order_18.pdf.

- (4) Case will be voluntarily **dismissed**, and a proposed order has been filed.

It is further **ORDERED** that, if the case is ready to be remanded to the transferee court, Plaintiff's 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 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.

IT IS SO ORDERED.

Eduardo C. Robreno, J.