

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

In Re: ASBESTOS PRODUCTS	:	Civil Action No:
LIABILITY LITIGATION (No. VI)	:	MDL 875
	:	
This Document Relates to:	:	ED. Pa. No:
	:	
Clarence F. Krause v. AC&S Inc., et al.,	:	10-62007
	:	
Jennifer Irons-Holtzman v. AC&S Inc., et al.:	:	10-68130

ORDER

And now this 21st day of September, 2012, upon consideration of “Plaintiffs Krause and Irons’ Motion for an Extension of Discovery or, in the Alternative, to Transfer cases to CVLO-7” (10-62007 Doc. 84, 10-68130 Doc. 145), and the responses (10-62007 Doc. 86, 10-68130 Doc. 148), it is hereby **ORDERED** that the motion is **DENIED**.¹

BY THE COURT:

/s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
United States Magistrate Judge

¹ We find no good cause for amending the scheduling orders in these two cases. Fed. R. Civ. P. 16(b)(4). Both of these cases are currently in the CVLO-5 case group wherein discovery closed on August 24, 2012, the very day that CVLO filed its motion. We have denied similar motions for extensions filed on the discovery deadline finding, *inter alia*, that such late filings indicate a lack of diligence. *E.g.* (11-66278 Doc. 139). We observe that these cases were among the group referred to Judge Reed in which he deemed the standard interrogatories to have been served on October 1, 2010 and which he directed plaintiffs to answer by February 21, 2011. We first placed Irons-Holtzman on a scheduling order on July 15, 2011 and Krause on December 21, 2011. CVLO has been aware for some time that these cases were being prepared for litigation.

In the current motion, CVLO claims that on July 27, 2012, they began looking for these two plaintiffs to obtain their signatures on interrogatory answers. CVLO contends that they still have not been able to locate either plaintiff even after exhausting every reasonable avenue. Therefore, CVLO asserts that they need additional time to continue the search. It appears that CVLO may not have begun looking for these clients until late July 2012, long after the court and parties had begun preparing the cases for litigation. We find it unlikely, given CVLO’s previous efforts to find these two plaintiffs, that additional search time would yield results.