

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

IN RE: ASBESTOS PRODUCTS LIABILITY	)	Civil Action NO. MDL 875
LITIGATION (NO. VI)	)	
	)	
LLOYD ANDERSON,	)	
Plaintiff,	)	PA-ED Case No. 11-cv-63482
v.	)	
A.W. CHESTERTON COMPANY, et al.,	)	
Defendants.	)	
_____	)	
GERALD F. BUSHMAKER,	)	
	)	
Plaintiff,	)	PA-ED Case No. 10-cv-61116
v.	)	
A.W. CHESTERTON COMPANY, et al.,	)	
Defendants.	)	
_____	)	
CECIL L. DILLMAN,	)	
	)	
Plaintiff,	)	PA-ED Case No. 08-cv-91767
v.	)	
AP GREEN REFRACTORIES CO et al.,	)	
Defendants.	)	
_____	)	
PAUL W GEHRT,	)	
	)	
Plaintiff,	)	PA-ED Case No. 08-cv-92066
v.	)	
AC AND S INC et al.,	)	
Defendants.	)	
_____	)	
MARION J GOEKEN,	)	
	)	
Plaintiff,	)	PA-ED Case No. 10-cv-68122
v.	)	
AC AND S INC et al.,	)	
Defendants.	)	
_____	)	
LARRY A KINSER,	)	
	)	
Plaintiff,	)	PA-ED Case No. 08-cv-92034
v.	)	
ANCHOR PACKING COMPANY et al.,	)	
Defendants.	)	
_____	)	

CHARLES KRIK,	)	
Plaintiff,	)	PA-ED Case No. 11-cv-63473
v.	)	
AC AND S INC et al.,	)	
Defendants.	)	
_____	)	
JOSEPH E PLEAUGH,	)	
Plaintiff,	)	PA-ED Case No. 11-cv-63519
v.	)	
A.W. CHESTERTON COMPANY, et al.,	)	
Defendants.	)	
_____	)	
DEON W. WRIGHT,	)	
Plaintiff,	)	PA-ED Case No. 11-cv-66748
v.	)	
A.W. CHESTERTON COMPANY, et al.,	)	
Defendants.	)	

**ORDER**

**AND NOW**, this 1<sup>st</sup> day of February, 2012, upon consideration of the motions *in limine* filed by Defendants pursuant to the deadline articulated in our Order issued on November 16, 2011, amending the Amended Case Management and Scheduling Order for the “Top Ten” Cases (e.g. 08-91767 Doc. No. 55) (“Second Amended Scheduling Order”), it is hereby **ORDERED** that all of the motions are **DENIED without prejudice**.<sup>1</sup>

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<sup>1</sup> On or about January 16, 2012, the date by which Defendants were to have filed all motions in limine, except for those pertaining to Drs. Schonfeld, Anderson and Sadek, the Court received more than 75 filings, styled as Motions in Limine. We observe that the vast majority of these motions have concerned evidentiary and other trial-related matters. (*See, e.g.* Foster Wheeler’s Motion in Limine (11-66748 Doc. No. 174, 08-92066 Doc. No. 192), Certainteed’s Motion in Limine to Utilize Jury Questionnaire (08-92066 Doc. No. 182), Crane Co.’s Motion in Limine to take Judicial Notice of the Federal Register (11-63473 Doc. No. 202), and Bechtel Corporation’s Omnibus Motion in Limine (11-63473 Doc. No. 200), among many others.) All parties are advised that the MDL Court will not consider motions in limine that concern any evidentiary or other trial-related matters. It is the judgment of this Court that those motions will be more appropriately handled in the district courts to which any cases not otherwise disposed of in the MDL will be remanded. Accordingly, we deny these motions without prejudice to their  
(continued...)

BY THE COURT:

/s/ David R. Strawbridge  
DAVID R. STRAWBRIDGE  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>(...continued)

being re-filed in the transferor court, if necessary, upon remand. Accordingly, the parties are hereby **ORDERED** to refrain from filing any such motion in the MDL.

Defendants are directed, however, to re-file any motions in limine pertaining to expert witnesses (excluding Drs. Schonfeld, Anderson and Sadek, who are the subject of a separate order), where the exclusion of evidence from that witness would have a case-dispositive effect, by March 2, 2012, which is the new deadline for defense motions *in limine*, set out in our Third Amended Case Management and Scheduling Order for the Top Ten Cases (e.g. 11-63482 Doc. No. 298).