



November 8, 2005

**The following 54 cases have been designated as comprising the May 2005
in extremis trial cluster.**

<u>Baron & Budd</u> (1 case: 1 LC)	<u>Index No.</u>	<u>Disease</u>
Bragg, Sr., Richard Allen	110055/00	Lung Cancer
<u>Belluck & Fox</u> (4 cases: 4 ME)	<u>Index No.</u>	<u>Disease</u>
Collura, Ignacio	112742/04	Mesothelioma
Fiore, Victor L. * %	116446/04	Mesothelioma
Flynn, Sr., Robert	113874/04	Mesothelioma
Wilson, Leonard J.	110902/04	Mesothelioma
<u>Early & Strauss</u> (6 cases: 4 ME, 2 LC)	<u>Index No.</u>	<u>Disease</u>
Geraci, Nicholas	103534/99	Lung Cancer
Jacobs, Milton	116487/04	Lung Cancer
Magee, Fred	112275/04	Mesothelioma
Masiello, Vincent	111201/04	Mesothelioma
Massucci, Minnie	114706/04	Mesothelioma
Russo, Anthony	112156/04	Mesothelioma
<u>Law Office of John C. Dearie & Assoc.</u> (6 cases: 6 LC)	<u>Index No</u>	<u>Disease</u>
Brown, Harry	116401/04	Lung Cancer
Browne, Albert	116397/04	Lung Cancer
Coppola, Anthony	113930/04	Lung Cancer
Flynn, James	114107/04	Lung Cancer
Uzzo, Gaspar	115536/04	Lung Cancer
Villanueva, Guillermo #	105192/04	Lung Cancer

Holdover * Medical Objection % Forum Objection

Levy Phillips & Konigsberg

(4 cases: 3 ME, 1 LC)

	<u>Index No.</u>	<u>Disease</u>
Bratier, Robert #	107696/04	Lung Cancer
Broizman, Seymour #	107943/04	Mesothelioma
Demers, Francis	108859/04	Mesothelioma
Mashiah, Abraham #	104845/04	Mesothelioma

Weitz & Luxenberg

(33 cases: 20 ME, 13 LC)

	<u>Index No.</u>	<u>Disease</u>
Antsis, Boris	115646/04	Mesothelioma
Bakke, Harold	116452/04	Lung Cancer
Balizer, Adolph	115491/04	Mesothelioma
Berlow, Richard	115545/04	Mesothelioma
Blitz, Arthur	116529/04	Lung Cancer
Bruno, Ernest P.	116454/04	Lung Cancer
Costanza, Vincent	114256/04	Lung Cancer
Costas, Constantine %	113553/04	Lung Cancer
Decibus, Edward	115494/04	Lung Cancer
DeJesus, Edwin	116431/04	Mesothelioma
Donini, Leonard	114867/04	Mesothelioma
D'Ulisse, Alfred	113838/04	Mesothelioma
Fleckner, Jay K.	113970/04	Mesothelioma
Gentile, Angelo T.	119987/03	Lung Cancer
Gori, Ronald	112947/04	Lung Cancer
Hasher, Sydney	114113/04	Mesothelioma
Hauck, Charles	112713/04	Mesothelioma
Krauss, Charles	113491/04	Mesothelioma
Levine, Jesse	113396/04	Mesothelioma
Levinson, Stanley	114257/04.	Mesothelioma
Nicolo, Decio	117152/01	Lung Cancer
Normanly, James	113839/04	Mesothelioma
Pellicano, Jr., Anthony	114997/04	Lung Cancer
Pieper, Donald F.	116451/04	Mesothelioma
Popham, Larry	116549/04	Mesothelioma
Purcell, William	104032/03	Lung Cancer
	126686/02	
Rogers, Leo %	116526/04	Mesothelioma
Rosato, Gerard	111735/04	Mesothelioma
Singer, Stanley	111837/04	Mesothelioma
Smyth, Desmond	104860/03	Mesothelioma
Soebke, George	222353/04	Lung Cancer
Thomala, Victor H.	114797/04	Mesothelioma

The following Weitz & Luxenberg cases have been removed to federal court. Motions to remand are pending. A decision as to their status will be made should they be remanded

Allison, Douglas %	113153/04	Mesothelioma
Bernhardt, James %	116528/04	Lung Cancer
Wells, Richard %	116430/04	Mesothelioma

**NEW YORK CITY ASBESTOS LITIGATION
DISCOVERY SCHEDULE
May 2005 ACCELERATED TRIAL CLUSTER**

<u>DATE DUE</u>	<u>ACTIVITY TO BE COMPLETED NO LATER THAN DATE DESIGNATED</u>
9/16/04 – 11/22/04	Period to file letter applications for inclusion in trial cluster.
12/15/04	Designation of trial cluster by Court and publication of discovery schedule by Special Master (XV.A.).
12/27/04	Defendants identify discovery and medical liaison counsel for trial group (XIV.B.).
1/17/05	Plaintiffs serve product identification interrogatories and requests for production on defendants.
2/10/05	Deposition of plaintiffs completed. If plaintiff is unable to testify due to physical illness, mental impairment or death, plaintiff will produce two co-workers for deposition no later than seven days after this date.
2/16/05	Defendants respond to plaintiffs' product identification discovery.
2/17/05	Third party complaints filed.
2/17/05	Plaintiffs serve expert witness reports, including economists, on remaining defendants.
2/25/05	Plaintiffs deliver to defense medical liaison counsel all radiology and pathology materials.
3/31/05	Depositions of plaintiffs' experts completed (as Court permits).
3/31/05	Plaintiffs serve fact witness list.
4/11/05	Plaintiffs serve exhibit and expert witness list.
4/11/05	Defendants serve notices of deposition of plaintiffs' fact witnesses.

4/11/05	Defendants serve fact witness list.
4/11/05	Independent medical examinations of plaintiffs completed.
4/23/05	Plaintiffs serve notices of deposition of defendants' fact witnesses.
4/26/05	Defendants serve expert witness reports, including economists.
4/26/05	Defendants serve exhibit and expert witness lists.
5/4/05	Court announces trial group(s) and format.