

## Weitz Trial Proposal

As you can see from the remaining defendants in those cases that have not been assigned to a Judge from the November 2003 In Extremis Group (I had faxed over a copy to you a little while ago), from the perspective of judicial economies and in the interests of those living in extremis plaintiffs, there are very few cases where it would make sense to now assign them to a judge for trial. The vast majority defendants that do remain active in these November 2003 cases (Courter, General Electric, Goulds, RA Keasbey, and Treadwell), are defendants that are also active in cases that are already assigned to Judges. Specifically, J. Kornreich has the Spinelli case that has GE, Goulds, Keasbey, and Treadwell as active, as well as the Campa, Renow, and Zatz cases which all have both Goulds and GE active. Moreover, J. Evans has the Detreich case ready for trial which again has RA Keasbey, Courter, Treadwell as active defendants. In addition to these assignments, J. Freedman has two living mesothelioma friction cases that she has taken for herself (Ochs from May 2001, and Anthony from Nov 2003), which obviously capture the friction defendants. The one remaining case from November 2003 that makes any sense to push out for trial right now is the Paul Piatoff case which has Kentile left as an active defendant. As you know, although we recently had a trial setting against them before J. Kornreich (the Tierno case), they only wanted to settle those 3 cases, even though we have cases dating back several trial groups with Kentile.

I would respectfully suggest, that the most meaningful way to resolve cases is to look to the May 2004 In Extremis Group for the next group of cases for trial assignments (in addition to the Paul Piatoff case from Nov 2003). The plaintiffs from May 2004 that I would propose, from the perspective of capturing as many defendants with the fewest cases, with the least likelihood of actually having to go to trial, are the following:

Cullen, Thomas (living meso)  
Derrer, Dennis (living meso)  
Grgas, Anthony (living meso)  
Kerrane, Thomas (dec meso)  
Mammes, William (dec meso)

This consolidation of cases captures a cross section of defendants that will increase the chances of being able to resolve the entire May group with a minimum of trial assignments. Thank you for your consideration of these matters.

Charles