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MEMORANDUM

To: Plaintiffs' Counsel
From: Laraine Pacheco, Special Master
CC: All Counsel in NYCAL
Honorable Helen E. Freedman
Date: January 27, 2003
Re: Procedure for Certifying FIFO cases for the Active Docket

Pursuant to Judge Freedman's order, plaintiffs and defendants are directed to try to resolve the status of the non-malignant FIFO cases for a determination of whether they meet the criteria established by Judge Freedman for inclusion in the active docket. Because of the volume of cases, we will follow the procedure set forth below.

This procedure applies **only** to non-malignancies filed in 1997 and 1998 and **only** to those cases where counsel for plaintiffs believes the criteria are met.

Counsel for plaintiffs are to submit a copy of the complaint and all medical records in their possession for any filed FIFO case described above with an index number of 1997 or 1998 as follows:

Non Weitz and non Wilentz cases:

All cases to Judy Yavitz, Anderson Kill

1997 Weitz or Wilentz cases

plaintiff's last name

A -M to Anna Dilonardo, L'Abbate Balkan

N - Z to Bob Malaby, Malaby Carlisle & Bradley

1998 Weitz or Wilentz cases

A – E to Richard Marin, Marin Goodman

F – J to Paul Scrudato, Law Office of Paul Scrudato

K – O to Richard O'Leary, McCarter and English

P – T to Diane Miller, Ross & Hardies

U – Z to Cathi Hession, Flemming Zulack

Because this review procedure must be completed by May 1, all applications must be submitted by March 15. In the interest of making this task doable, and in the interest of allowing yourselves time to get additional medical documentation, if needed, please submit this material beginning immediately, on a rolling basis.

Once the 1997 and 1998 cases have been reviewed, I will set up a similar procedure for reviewing and certifying the later filed cases.