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MEMORANDUM

To: All Counsel
From: Laraine Pacheco
Date: 8/11/2006
Re: Follow-up on August 9th Conference

The following summarizes the results of the conference that took place on August 9, 2006 before Judge Freedman.

In Extremis Cases

May 06 Early & Strauss

Jury Selection September 20 (Judge Freedman)

May 06 Weitz.

The following cases are being sent to Judge Kornreich

John Cavounis	115058/05
Harold Elsner	113585/05
Luis Gomez Gonzalez	115247/05
Joseph McKeon	113240/05
Morris Zimmerman	114152/05
Joseph Fee	113582/05
Robert Lettiere	113583/05
William Widing	113674/05

May 06 Levy

To be sent to a judge on October 18 (see discussion of conference below)

FIFO Cases

Wilentz February 04

The following two cases are being sent to Judge Shulman

Estate of Robert Fitton	103467/03
Estate of Frank Pavlicek	103450/03

Weitz

Weitz 2000-2001

Gerald Barrett	124376/94
Joseph Semple	124390/04
John Thomas Connors	126879/94
Robert F. Morris, Sr.	124389/94
William B. Daly	109340/01
Samuel Anthony Musto	109523/01

Judge Freedman has set a cutoff date of September 25 by which defendants must conduct any physical examinations of plaintiffs in these six cases.

Weitz August 04 – 23 cases posted on website
Weitz February 05 – 26 cases posted on website

Judge Freedman plans to send out these cases by September 25 as follows:
Mesothelioma cases to Judge Shulman
Lung Cancer cases to Judge Friedman
Asbestosis cases to remain with Judge Freedman

Weitz anticipates a reduction in the number of cases in these two groups.
Please check the website for updates.

Levy

The following three July 2001 cases will be sent out on October 18 along with the Levy May 06 cases

July 2001
Walter Seales 102511/97

August 2004
Theodore Peterson 113525/98
Gerald Chaney 100158/98

Locks

The Flynn case has NOT been dismissed. It will be assigned to a judge on October 18.

Conference set for October 18

There will be a conference with Judge Freedman on October 18 at 9:30 am to assign the following groups of cases to judges

Wilentz August 04 and February 05

All August 05

All 2002-2003 FIFO cases

May I remind plaintiffs of the procedure agreed upon at the June designation conference for the 2002-2003 FIFO cases

No later than September 25, counsel for plaintiff should review those cases and send NOSJMs to all defendants who should be let out or who are in cases that will not be tried. (Any case from the 2002-2003 clusters that does not meet Active Docket criteria must be dismissed) All defendants who are in cases that will be tried must receive demands by that date. ANY DEFENDANT WHO DOES NOT RECEIVE A DEMAND BY SEPTEMBER 25 SHOULD EMAIL ME PROMPTLY, WITH A COPY TO PLAINTIFF'S COUNSEL. To the extent, a defendant believes it has the basis to move for summary judgment in any of these cases, such motions should be made as soon as possible.

Counsel for plaintiffs: Please send to Tom Schiel a list of cases from the above-referenced groups that can be marked settled as soon as you can, on a rolling basis. RJs and Notes of Issue must be filed for these cases.