

# The Law Office of Laraine Pacheco

2401 E. Calle Sin Controversia  
Tucson AZ 85718

Telephone: 520 232-0606  
Facsimile: 520 219-0870  
Email: [pacheco18@comcast.net](mailto:pacheco18@comcast.net)

## MEMORANDUM

To: All Counsel

From: Laraine Pacheco

Date: 12/18/2005

Re: Follow-up on Designation Conference

---

The following summarizes the results of the Designation Conference that took place on December 12, 2005 with some slight modification. I urge all of you to read this memorandum carefully and adhere to all of the deadlines established herein.

### **Assignment Of In Extremis And FIFO Cases To Trial Judges**

#### November 05 Belluck & Fox

To Judge Shulman

Status Conference: December 20, 10 am

#### November 05, May 05 Early & Strauss plus the Lori Miller case from August 04

To Judge Madden

Status Conference TBA

#### November 05 Levy Phillips

To Judge Kornreich to follow group presently before her for trial

#### November 05 Lanier (Tosto)

To Judge Freedman

Status Conference TBA

August 04 Early & Strauss (except Lori Miller case)

To Judge Freedman

Status Conference: January 23, 10 am  
Early & Strauss is to notify all defendants via facsimile.

February 04 Weitz group (14 cases)

To Judge York to follow group presently before him for trial  
Defendants in those cases know who they are.

**Resolution Of Pre-Active Docket FIFO Cases**

Note: the discussion below refers to CLUSTER dates, not index number or filing dates.

Cases from the 1997, 1998 and 1999 FIFO clusters

Weitz and Wilentz are directed to do the following:

1. Provide Tom Schiel and me with those cluster lists no later than December 28.
2. Identify any case (IN CLUSTER ORDER) that you are willing to try IMMEDIATELY.
3. For each such identified case you must notify all remaining defendants, communicate reasonable demands, sign NOSJMs for all defendants in those cases who you wish to let out.
4. Send the list of those cases, identifying the Cluster, case name, index number, disease and the names of the remaining defendants to Judge Freedman and to me NO LATER THAN JANUARY 15.
5. Any case not identified above by that date will be marked settled.

There will be a conference on those cases before Judge Freedman on February 1 at 9:30 am.

Cases from the 2000-2003 FIFO clusters

Counsel for plaintiffs are directed to do the following:

1. Identify any case (IN CLUSTER ORDER) that you are willing to try IMMEDIATELY.
2. For each such identified case you must notify all remaining defendants, communicate reasonable demands, sign NOSJMs for all defendants in those cases who you wish to let out.

3. Send the list of those cases, identifying the Cluster, case name, index number disease and the names of the remaining defendants to Judge Freedman and to me NO LATER THAN FEBRUARY 28. This procedure should be done on a rolling basis, in cluster order.
4. Any case not identified above by that date will be marked settled.

There will be a conference on those cases before Judge Freedman on February 28 at 11 am.

**Resolution Of Active Docket FIFO Cases**

All plaintiffs' firms with Active Docket FIFO cases through the August 05 Cluster should be actively working on resolving those cases. To that end, for each case that you are willing to try, you must

1. Notify all remaining defendants, communicate reasonable demands, sign NOSJMs for all defendants in those cases who you wish to let out.
2. Send the list of those cases, identifying the Cluster, case name, index number, disease and the names of the remaining defendants to **TO ME ONLY** according to the dates listed below. I will hold settlement conferences on those cases and then ask Judge Freedman to send the unresolved cases out for trial.
3. Any case not identified above by the date indicated below will be marked settled.

February 04 Cluster (Wilentz)	By February 1
August 04 Cluster (Weitz)	By February 15
August 04 Cluster (all other firms)	By March 15
February 05 Cluster	By April 15
August 05 Cluster	By May 15

**And looking ahead**

February 06 Cluster	By June 15
August 06 Cluster	By September 15

Judge Freedman and I are determined to move these cases along. These deadlines will be strictly enforced.