

DIANA ZALESKI

2003 JUN 24 AM 9:41 IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

IN RESUME SUMMIT COUNTY
WORKERS' COMPENSATION
ASBESTOS CASES

) MISC. NO. MS-2003-00-0022
) Judge John R. Milligan, Ret.

The following general procedural order shall apply the oldest 50 cases identified by the clerk and noted on the clerk's web site, AC link, all subject to the further order of the court.

Tuesday, May 27 The oldest 50 cases will be identified by Clerk spreadsheet and be subject to this order.

Day 21 Plaintiffs' to provide answers to Master Interrogatories and Request for Production of Documents and medical, employment and social security records authorizations. Defendants to provide timely answers to Master Interrogatories and Request for Production of Documents. (Since some of the case records are stored offsite and involve retirees Defendants agree to make a good faith effort to comply within the time frame, and will notify the court if delay unavoidable.)

Day 30-90 Defendants may conduct case specific discovery by depositions of the parties, including Plaintiffs, Defendants representatives and lay witnesses. Plaintiffs and lay witnesses shall be made available for deposition in Summit County to the extent possible. THE COURT EXPECTS THAT THE PARTIES, TO THE MAXIMUM EXTENT POSSIBLE, CONDUCT DEPOSITIONS WITH A VIEW THAT THEY SHALL BE FILED AT THE TIME OF TRIAL FOR THE PURPOSE OF REVIEW OF OBJECTIONS AND INCORPORATION INTO THE FINAL VIDEO TRIAL RECORD.

Day 90 Defendants to conduct Independent Medical Examinations of Plaintiffs Depositions to be conducted of expert witnesses identified through discovery. Expert depositions to be conducted in the manner set forth in Proposed Procedure for Discovery Depositions of Expert Witnesses. (Attached.) Each expert is to provide a report in conformance with Cuyahoga County Local Rule 21.1, or representative testimony with each expert's trial testimony limited to opinions expressed in the report.

Day 100 Parties will identify trial witness.

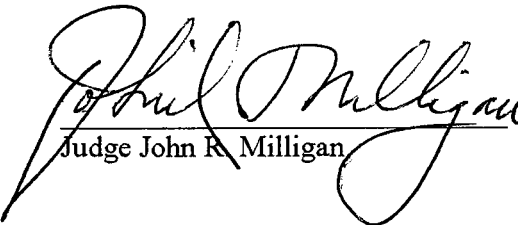
Day 100 Deadline for dispositive motions.

Day 115 Reply briefs in support of dispositive motions.

Day 120 Final pretrial and oral argument (if necessary) on dispositive motions. Identify all physical exhibits. File requests for jury instructions. (A group of standard jury instructions will be developed in the first round and used thereafter with appropriate additions or deletions.)

- Day 130 In the exercise of discretion the court may order a settlement conference. Announcement thereof is not to delay the Case Management Schedule.
- Day 130-150 Videotape testimony will be taken. Absent agreement and predeveloped trial depositions all witnesses, except experts, will give trial testimony in Akron, OH.
- Within 20 days Videotaped testimony will be collated, edited and prepared for presentation to the jury.
- Day 170 Trial commences (voire dire, opening statement and closing argument to be done live; all other testimony and jury instructions to be presented by videotape. The precise date, time, and place of trial will be determined, and may include studios at the University of Akron.

Entered this 23 day of May, 2003.


Judge John R. Milligan

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