

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: E. I. DU PONT DE
NEMOURS AND COMPANY C-8
PERSONAL INJURY LITIGATION,**

**Civil Action 2:13-MD-2433
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Elizabeth P. Deavers**

This document relates to: ALL CASES.

PRETRIAL ORDER NO. 21

June 9, 2014 Conference Order

This matter came before the Court for an in-person status conference on June 9, 2014.

This Order memorializes the results of the conference as follows:

DuPont first apprised the Court that the bellwether discovery process has been proceeding smoothly, with most of the necessary depositions scheduled.

The Court next conferred with the parties regarding the status of the proposed case management order to govern selection of the initial trials. The parties raised and the Court addressed a variety of concerns relating to the timing and procedure for selection of the bellwether trials. The parties indicated that they would submit an updated proposed case management order reflecting the results of the discussion. In addition, the Court indicated its intent to set firm dates for the first six trials, with the first trial to take place on September 14, 2015; the second on November 30, 2015; the third in early-March 2016; the fourth in late-April

2016; the fifth in August 2016; and the sixth in October 2016. After conferring with the parties, the Court will issue a separate order setting forth the exact dates for third through sixth trials.

Plaintiffs' counsel next indicated their intent to depose various DuPont witnesses regarding DuPont's involvement with the media and expressed their expectation that DuPont would oppose any such depositions. Although both parties weighed in on the issue, it was clear that they had not yet fully met and conferred to discuss the issue prior to the conference. The Court advised the parties to attempt to extrajudicially negotiate a resolution and to file motions if unsuccessful.

The parties next indicated that they will be reaching out to the mediator in an effort to educate him on the issues this multidistrict litigation presents. They also indicated that they were working to resolve issues related to DuPont's claim of privilege for various categories of documents excluded from its production.

The next conferences will be an in-person status conferences and are scheduled for **JULY 10, 2014, at 3:00 p.m.**, and **AUGUST 13, 2014, at 1:30 p.m.**, in **Room 301** of the United States District Court, Joseph P. Kinneary United States Courthouse. As set forth in the Court's April 12, 2013 Order (ECF No. 2), the parties must confer prior to the conferences and file with the Court, no later than two business days prior to the conference, an agenda of issues to be addressed. The Court also reminds the parties to email a list of participants and their email addresses to the Court no later than two business days prior to the conference.

IT IS SO ORDERED.

6-17-2014
DATE



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE



ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE