

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: E. I. DU PONT DE NEMOURS CASE NO. 2-13-MD-2433
AND COMPANY C-8
PERSONAL INJURY LITIGATION

JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Elizabeth P. Deavers

This document relates to: Group 1 Cases

GROUP 1:

Ryan Balsley, Case No. 13-cv-01155
Wendell Mayle, Case No. 13-cv-1052
Aaron Callihan, Case No. 15-cv-01979
Michael Nutter, Case No. 15-cv-00513
Carolyn Charles, Case No. 15-cv-00116
Thomas Weekley, Case No. 15-cv-01690
Ronald Cross, Case No. 14-cv-00187
Robert White, Case No. 15-cv-00807
Alfred Fauver, Case No. 15-cv-01853
Susan White, Case No. 15-cv-00210

CASE MANAGEMENT ORDER NO. 17-A

This order supplements Case Management Order No. 17, and is directed at the Group 1 Cases. This is a new procedure that departs from the parties' prior practice of filing motions only in the broader MDL.

I. Case Caption(s) and Filing Procedures for Motions for Summary Judgment and *Daubert* Motions for Group 1 Cases

Any party who files a *Daubert* motion and/or a motion for summary judgment that applies to more than one Group 1 plaintiff as identified above, shall caption such *Daubert* and/or summary judgment motion(s) with the MDL case heading and indicate that the motion relates to each Group 1 case to which it applies. Each party shall not only

file such *Daubert* and/or summary judgment motion in the main MDL, but shall also spread the entry to the particular case(s) to which the motion is directed.

II. Court's Previous Decisions

The parties shall indicate in a prominent manner in the opening of any summary judgment or *Daubert* motion whether the Court previously ruled on the motion or any issue within, whether they are moving to preserve, or whether they are asking for reconsideration because of new or different circumstances or other good cause. The parties shall also identify the Court's prior ruling on any motion(s) for summary judgment or *Daubert* motion(s) in its submitted briefing.

With respect to any preservation motion(s), the parties need merely indicate that the Court has previously ruled upon the issue(s) set forth in such preservation motion(s) and that the party wishes to reassert, preserve, and does not waive its prior arguments.

IT IS SO ORDERED

1-27-2017
DATE


EDMUND A. SARGUS, JR.
Chief United States District Judge