

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. 7**

**July 29, 2013 Conference Order**

This matter came before the Court for an in-person status conference on July 29, 2013.

This Order memorializes the results of the conference as follows:

The Court conferred with counsel regarding the anticipated scope of discovery.

Regarding general discovery, Plaintiffs' Counsel indicated that Plaintiffs' Steering Committee ("PSC") is in the process of ascertaining what information it still intends to discover in light of the discovery conducted in prior actions, including *Leach v. E. I. du Pont de Nemours & Co.*, No. 01-C-608 (W. Va. Cir. Ct.). Upon making this determination, the PSC will propound a master set of written discovery. Defense Counsel indicated that Defendant is in the process of identifying what third-party discovery remains. With regard to Plaintiff-specific discovery, the parties envision the production of Plaintiff Fact Sheets ("PFS") for each Plaintiff. The parties continue to work together to develop an agreed-upon PFS. Additionally, the parties continue to

explore the propriety and scope of a Defense Fact Sheet. The parties anticipate conducting additional discovery on a representative pool of Plaintiffs, with full discovery for those Plaintiffs selected for trial. The parties and the Court will continue to confer regarding the scope and sequence of discovery, including expert discovery.

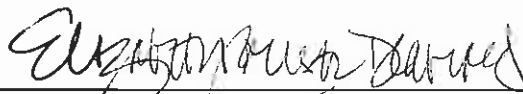
The Court next conferred with counsel regarding the parties' proposed orders relating to scheduling and the common benefit fund. The results of those discussions are reflected in the Court's Case Management Order No. 2, Initial Scheduling Order (ECF No. 30) and the Pretrial Order No. 6, Common Benefit Order (ECF No. 32). With regard to mediation, the Court declined, at this juncture, to set a specific date and encouraged the parties to agree on a mediator and the timing of mediation.

Finally, the Court urged the parties to identify potential issues of law that are amendable to early resolution to avoid unnecessary discovery. The next in-person status conference is scheduled for **SEPTEMBER 5, 2013, at 1:00 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 status conference and file with the Court, no later than two business days prior to the conference, an agenda of issues to be addressed. The agenda for the September 5, 2013 conference shall include, but is not limited to, the proposed scope of discovery, the identification of issues of law that are amendable to early resolution, and whether the parties have agreed upon a mediator and mediation schedule. 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.**

8-5-2013  
**DATE**

  
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**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**

  
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**ELIZABETH A. PRESTON DEAVERS**  
**UNITED STATES MAGISTRATE JUDGE**