ELLIS v. 3M COMPANY et al Doc. 123

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : MDL 875

LIABILITY LITIGATION (No.VI)

This Document Relates To:

v.

GEORGE DONALD ELLIS : EDPA CIVIL

NO. 10-83254

.

3M COMPANY, et al.

SIDNEY WILLIAM MAUNEY : EDPA CIVIL

NO. 10-83255

V.

:

AO SMITH CORP, et al. :

ORDER

And now, this 3rd day of October, 2011, pursuant to Federal Rule of Civil Procedure 45, and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that, within 14 days of the date of this order, plaintiffs shall pay to nonparty Duke Energy Corp. ("Duke") the sum of \$134,989.06 to reimburse Duke for the reasonable costs associated with its document production. By that same deadline, Duke shall produce to plaintiffs a log of documents withheld or redacted on grounds of privilege. Finally, Duke shall maintain and share with plaintiffs an accounting of time and costs associated with producing documents in response to defense subpoenas, and the

parties and Duke shall attempt to reach agreement on a method for sharing such costs including, if appropriate, reimbursement to plaintiffs for amounts representing efforts that did not have to be undertaken in view of the production to plaintiffs.

BY THE COURT:

/S/ELIZABETH T. HEY

ELIZABETH T. HEY UNITED STATES MAGISTRATE JUDGE