

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

JAMES COLEMAN and LARRY KIMBRO and
CARL MOTEN and ADELLE NEWBELL and
PHILLIP SCHULTE and NAOMI TACKETT and
DAVID TAMPLIN and CAROLYN TURNER and
PATRICIA WARD and TERRY WHITE and
BRIAN and CYNTHIA WRIGHT, husband and wife,
all of whom are residents
of the State of West Virginia,

Plaintiffs,

v.

Civil Action No. 2:11-0366

UNION CARBIDE CORPORATION, a Delaware
corporation, having its principal place
of business in the State of West Virginia and
THE DOW CHEMICAL COMPANY, a Delaware
corporation, with its principal place of
business in Michigan, and EMC ALLOY, L.P.
f/k/a ELKEM METALS COMPANY -- ALLOY, L.P., a
Norwegian corporation, having its principal
offices in the State of Pennsylvania, and
GLOBE SPECIALTY METALS, INC., a Delaware
corporation, having its principal place
of business in the State of New York, and
GLOBE METALLURGICAL, INC., a Delaware corporation,
having its principal place of business in
the State of Ohio, and WEST VIRGINIA ALLOYS, INC.,
a Delaware corporation, having its principal
place of business in the State of West Virginia, and
WVA MANUFACTURING LLC, a Delaware corporation,
having its principal place of business in the
State of West Virginia,

Defendants.

MEMORANDUM OPINION AND ORDER

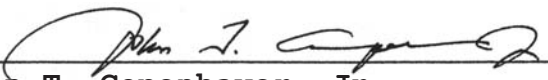
Pending is the "DEFENDANTS' EXPEDITED MOTION TO (1) MODIFY OCTOBER 5, 2012 SCHEDULING ORDER AND (2) COMPEL THE DEPOSITION OF STEVEN COLE, ('expedited motion')," filed October 31, 2012.

The defendants seek, in part, an order permitting them leave to depose plaintiffs' expert Greg Haunschild before the deadline for the defendants' counter-expert reports, which is today. The court ORDERS that the November 2, 2012, deadline for defendants' counter-expert reports be, and it hereby is, held in abeyance pending the court's ruling on the residue of the defendants' expedited motion.

In the event that the parties are unable to earlier resolve amicably the disputes mentioned in the expedited motion, it is further ORDERED that the plaintiffs be, and they hereby are, directed to respond to the expedited motion no later than November 5, 2012, with the defendants' reply filed by November 6, 2012.

The Clerk is directed to forward copies of this order to all counsel of record and any unrepresented parties.

DATED: November 2, 2012



John T. Copenhaver, Jr.
United States District Judge