

1	Evenson	Tom Foulds John Cummings ³	Richard Pierson Jill Olson (Tele)
2			
3	Berg	Richard Eymann Connie Powell	Steven Jones
4	Berg/Lumpkin	David Breskin	Brian Depew
5	Defendants	Counsel	
6	E.I. DuPont DOE Nemours & Co. [DuPont]	Kevin T. Van Wart ⁴ William (Randy) Squires Tim Duffy	
7	General Electric Co. [GE]		
8	UNC Nuclear Industries, Inc. [UNC]		
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10 Pro se Plaintiffs Noreen L. Wynne, Carmela M. Destito-Buttice
11 (for late John P. Destito, Jr.), and Marylin F. Mlnarik were not present.

12 The Court briefly discussed the items on the previously filed
13 Agenda. This Order is entered to memorialize and supplement the oral
14 rulings of the Court. Accordingly,

15 **IT IS ORDERED** that:

16 1. The Court **RESERVES RULING** the Motion for Order Granting Certain
17 *Berg* Plaintiffs' Leave to Amend Joint Consolidated Complaint, filed
18 December 6, 2004, **Ct. Rec. 1622**, regarding Exhibit D and on Motion of
19 *Evanson* Plaintiffs for Leave to Join Additional Plaintiffs to the Second
20 Amended Consolidated Complaint, filed December 13, 2004, **Ct. Rec. 1624**.
21 The Court will take the matter under advisement after receiving
22 Plaintiffs' replies which are due January 14, 2005.

24 ³Mr. Cummings left the hearing following the argument on the *Daubert*
25 standard and burden of proof.

26 ⁴Lead Counsel for Defendants.

1 2. The Defendants' *Daubert* Motions Related to Witnesses Wichner,
2 **Ct. Rec. 1548-11**, Grossman, **Ct. Rec. 1548-12**,; and McNeil, **Ct. Rec. 1569-**
3 **2**, are **DENIED AS MOOT** with the agreement of the parties.

4 3. The Court will set deadlines and briefing on summary judgment
5 motions at a future hearing.

6 4. All dates after February 21, 2005 on the Court's calendar
7 circulated to counsel previous are considered **TENTATIVE**. Final dates
8 will be set at or after the February 15, 2005 status conference.

9 5. The parties will file their joint proposed supplemental jury
10 questionnaire on **January 14, 2005**.

11 6. Plaintiffs' Motion for Voluntary Dismissal [Without Prejudice
12 of Bernice Sadler from the Inactive Docket], received November 15, 2004,
13 has been **WITHDRAWN** by Plaintiffs. See Notice filed January 11, 2005, **Ct.**
14 **Rec. 1689**.

15 7. The Motions and Amended Motions to Reinstate the Claims of
16 Rance Jones and Joeann Wallace, **Ct. Recs. 1579, 1611, 1581, and 1610**,
17 **REMAIN PENDING**. Plaintiffs' replies are due **January 14, 2005**.

18 8. The parties agree that the Plaintiffs may submit the expert
19 report of Collin Hill for background information in the Court's consi-
20 deration of the *Daubert* motions.

21 9. The Thirteenth Status Conference has been set for **Thursday,**
22 **February 17, 2005, at 8:00 a.m., OR** to follow the *Daubert* hearings, Group
23 IV, set to begin **February 15, 2005**. Lead Counsels' status report shall
24 be filed and served no later than **February 1, 2005**.

25 10. Counsel who wish to appear telephonically at a status
26 conference shall notify Joanna Knutson no later than two days prior

1 to the hearing at 509.353.3163, in order to schedule a conference
2 call.

3 The District Court Executive is directed to file this Order and
4 provide copies to Liaison Counsel; Mediator Gary Bloom; **AND TO** pro se
5 Plaintiffs Noreen L. Wynne, Carmela M. Destito-Buttice (for late John P.
6 Destito, Jr.), and Marylin F. Mlnarik.

7 **DATED** this 13th day of January, 2005.

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s/ Wm. Fremming Nielsen
WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE

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