

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 19 2004

JAMES R. LANSSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IN RE HANFORD NUCLEAR
RESERVATION LITIGATION

NO. CY-91-3015-WFN

SIXTH STATUS CONFERENCE
ORDER: APRIL 15, 2004

This Order relates to: All Cases

A sixth status conference was held April 15, 2004, in Spokane, Washington. The following counsel were present representing the listed parties.

Plaintiffs	Counsel	
Jaros	Roy S. Haber	
Matthies		
Seaman		
Hamilton/Criswell	Louise Roselle ¹ Peter Nordberg	Merrill Davidoff (Tele) John S. Moore ² (Tele)
Evenson	Arnold Levin Richard Pierson	John Cummings (Tele)
Berg	Steven Jones Connie Powell	Richard Eymann (Tele)
Berg/Lumpkin	David Breskin	Brian Depew

¹Lead Counsel for all Plaintiffs.

²Liaison Counsel for all Plaintiffs.

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Defendants	Counsel
E.I. DuPont De Nemours & Co. [DuPont]	Kevin T. Van Wart ³ William (Randy) Squires
General Electric Co. [GE]	
UNC Nuclear Industries, Inc. [UNC]	
Third Party	Counsel ⁴
Center for Disease Control [CDC]	Julie Anderson (Tele)
Department of Justice [DOJ]	Timothy Nusraty (Tele)
Fred Hutchinson Cancer Research Center [FHCRC]	Jane Campbell (Tele)

Pro se Plaintiffs Noreen L. Wynne, Carmela M. Destito-Buttice (for late John P. Destito, Jr.), and Marilyn F. Minarik were not present.

The Court and the parties discussed the items on the previously filed Agenda. An in-camera hearing was held with Plaintiffs' counsel following the status conference which is memorialized in a separate Order. This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

IT IS ORDERED that:

1. General Update. The Court advised the parties that Judge McDonald's August 22, 2002, Order Denying Motion to Vacate Disqualification Order [Re: Nancy Oreskovich] was affirmed on appeal and the Mandate was filed in this court April 9, 2004, Ct. Rec. 1473.

2. Mediation. The second mediation session is currently set for June 2, 2004.

³Lead Counsel for Defendants.

⁴Counsel for the Third-Parties participated telephonically only on the issue of the Plaintiffs' Motion to Compel.

1 **3. Discovery Issue--Plaintiffs' Motion to Compel Compliance with**
2 **Subpoenas Served on FHCRC (Fred Hutchinson Cancer Research Center)**, filed
3 March 25, 2004, Ct. Rec. 1456. The parties advised that some issues
4 have been resolved and they would like additional time to address the
5 remaining issues related to the subpoena. Ms. Anderson advised the
6 Court that Timothy Nusraty would be assuming representation of the CDC
7 on the subpoena issues. The CDC would like to file a friend of Court
8 brief.

9 (a) FHCRC's third party response to Plaintiffs' Motion to Compel
10 is limited to ten (10) pages and shall be filed and served no later than
11 May 6, 2004.

12 (b) The CDC's friend of Court brief is limited to ten (10) pages
13 and shall be filed and served no later than May 6, 2004.

14 (c) Plaintiffs' reply, which is limited to ten (10) pages, shall
15 be filed and served no later than May 20, 2004.

16 (d) The hearing on Plaintiffs' Motion to Compel, filed March 25,
17 2004, Ct. Rec. 1456, shall be set for June 3, 2004, at 8:00 a.m., in
18 Spokane, Washington.

19 **4. Discovery Issue--Defendants' Request for Information on BWs**
20 **(Bellwether Plaintiffs)**. The Plaintiffs advised that they are attempting
21 to complete the disclosure of medical records for the BWs. If the issue
22 is not resolved, the parties may schedule a telephonic conference call
23 with the Court the week of April 19, 2004, by contacting Courtroom Deputy
24 David Naccarato at 509.353.3163.

25 **5. Dismissal of Carla Griffin.** The Court advised that it had not
26 received Ms. Carla Griffin, one of the BWs, request to voluntarily

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