

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

JUL 19 2004

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IN RE HANFORD NUCLEAR
RESERVATION LITIGATION

NO. CY-91-3015-WFN

EIGHTH STATUS CONFERENCE
ORDER: JULY 15, 2004

This Order relates to: All Cases

An eighth status conference was held July 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 John S. Moore ²
Evenson	Peter Nordberg Merrill Davidoff (Tele)
Berg	Tom Foulds Arnold Levin
Berg/Lumpkin	Frank Dudenhefer Richard Pierson
	Richard Eymann Connie Powell
	Steven Jones
	David Breskin

¹Lead Counsel for Plaintiffs.

²Liaison Counsel for Plaintiffs.

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Defendants	Counsel
E.I. DuPont DOE Nemours & Co. [DuPont]	William (Randy) Squires Michelle Browdy
General Electric Co. [GE]	
UNC Nuclear Industries, Inc. [UNC]	

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

The Court and the parties discussed the items on the previously filed Agenda. The Court noted that the Protective Order authorized at the Seventh Status Conference, June 3, 2004, was presented to the Court and executed on July 7, 2004. The Court heard argument on Defendants' Motion for Summary Judgment--Statute of Limitations, filed February 20, 2004 (Ct. Rec. 1433).

This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

IT IS ORDERED that:

1. Defendants' Motion for Summary Judgment--Statute of Limitations.

The Court **RESERVED RULING** on the Defendants' Motion, filed February 20, 2004, Ct. Rec. 1433.

2. Settlement Progress Report.

The Court advised the parties that the Court is only interested in knowing whether the mediation process is ongoing and that any details related to mediation should be omitted from the Status Conference Reports.

3. Discovery Issues Re^m Bellwethers--IMEs.

Ms. Browdy advised the Court that the parties had agreed in principle to a stipulation regarding the IMEs. If the parties are unable to enter a written stipulation, they

1 will contact the Court telephonically in the next week to request the
2 Court's assistance.

3 4. Exhibits.

4 (a) The parties indicate that they have exchanged their initial
5 exhibit lists.

6 (b) The parties and the Court agree that the number of exhibits
7 should be limited. The Court requested that as the parties begin to
8 informally resolve issues regarding the initial exhibit lists that they
9 begin to consider what a reasonable limitation on the number of exhibits
10 should be. The Court encourages the use of summaries, the delineation
11 of demonstrative exhibits, and a delineation of exhibits of record versus
12 those that would be submitted to the jury.

13 (c) The deadline for exchanging final exhibit lists is
14 November 30, 2004. The Court suggested the following deadlines related
15 to objections to exhibits.

16 • Formal objections to exhibits³--due two weeks after list
17 exchange;

18 • Formal responses to objections to exhibits--due two weeks
19 after objections filed; and

20 • Hearing on objections to exhibits--two weeks after
21 responses filed.

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24 ³Formal objections should reference the evidentiary rule, if appli-
25 able, or other basis for the objections. The objections must be specific
26 and concisely stated.