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United Water Toms River Inc.

FILED
OCT 09 2001

JUDGE MARINA CORODEMUS

SUSANA ARENT, et al.,

Plaintiffs,

v.

CIBA GEIGY CORPORATION, et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
MASS TORT CASE CODE 248

DOCKET NO.: MID-L-2093-01

Civil Action

MARGO KRAMER, et al.

Plaintiffs,

v.

CIBA GEIGY CORPORATION, et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO.: MID-I.-2521-01

Civil Action

KATHLEEN JANES, et al.,

Plaintiffs,

v.

CIBA GEIGY CORPORATION, et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO.: MID-L-1669-01

Civil Action

The above matter having come before the Court on September 26, 2001 for a case management conference, and for good cause shown,

It is on this the 9th of October, 2001,

ORDERED that:

1. Within ten days, Ciba-Geigy shall produce for deposition, a records custodian or other person with knowledge of the steps taken by Ciba-Geigy and its attorneys to locate, gather and produce documents in this litigation. Prior to the deposition, the witness shall appear before the Honorable Philip A. Gruccio, J.S.C., J.A.D. (Ret.) at a time and place to be agreed upon by the parties.
2. Case Management Order IV is modified so that defendants Bobsein and McPherson shall have until October 9, 2001 to serve their privilege logs. The privilege logs shall be provided to the parties on a rolling basis as sections of the log are completed.
3. Good faith efforts shall be made by all counsel to agree to the form and content of all case management orders within three days of each case management conference.
4. All parties are to submit to the Court their positions and proposals for bellwether selection and discovery by October 5, 2001.
5. Prior to October 12, 2001, the parties shall meet to discuss the bellwether proposals and attempt to resolve the matter. If the parties are unable to reach an agreement, the matter shall be submitted to the Court for resolution.
6. Counsel for the Janes plaintiffs shall list, in order of priority, those individuals identified in Mr. Kanner's August 20, 2001 letter as persons plaintiffs wish to depose.

7. Case Management Order IV is modified so that Counsel for the Janes plaintiffs shall be permitted to identify ten (10) categories of documents to be produced by Ciba-Geigy.
8. When a deposition for a Ciba-Geigy witness is scheduled, 7 days before the date of the deposition counsel for Ciba-Geigy shall produce, to the extent already available in a segregated collection, those non-privileged documents regarding that witness.
9. Counsel for the Kramer and Arent plaintiffs shall produce documents for review by the defendants in a manner and at a time and place agreed upon by the parties. To the extent that the documents are available in an electronic form, plaintiffs shall provide a copy of the CDs or disks to defendants. Each defendant requesting documents in an electronic form shall reimburse plaintiffs for the cost of copying the CDs or disk.
10. Answers to all outstanding, non-contention interrogatories shall be served by all parties by October 15, 2001.
11. Plaintiffs in the Janes and Kramer cases may file their applications for class certification by December 1, 2001.
12. Depositions of class representatives shall be completed prior to December 1, 2001.
13. Plaintiffs shall answer the wrongful death section of the questionnaire for James Meketa (Docket No. MID-L-2070-01) and Scott Miller (Docket No. MID-L-765-01) by October 18, 2001.
14. On October 1, 2001, Ciba-Geigy shall produce documents from the Ciba insurance coverage litigation for which the claim of privilege has been withdraw.

15. Ciba-Geigy shall produce non-privileged documents from the Lynneworth v. Ciba-Geigy litigation for inspection and copying at the offices at Lowenstein Sandler, at a mutually convenient time during the week of October 8, 2001.

16. The next case management conference shall be at 10:00 a.m. on October 18, 2001.

17. A copy of this Order shall be served on all counsel of record within seven (7) days hereof.

Marina Corodemus

HON. MARINA CORODEMUS, J.S.C.

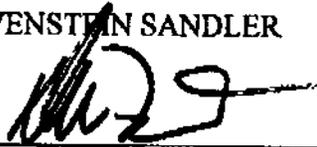
On behalf of the Kramer and Arent plaintiffs,
I hereby consent to the form and entry of
this Order.

By: *Angelo J. Cifaldi*
Angelo J. Cifaldi, Esq.

Dated: October 2, 2001

On behalf of defendants CIBA-GEIGY Corporation, Novartis Corporation and Ciba Specialty Chemicals Corporation, I hereby consent to the form and entry of this Order.

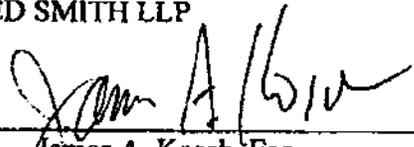
LOWENSTEIN SANDLER

By: 
David W. Field, Esq.

Dated: October 3, 2001

On behalf of defendant United Water Company Inc., I hereby consent to the form and entry of this Order.

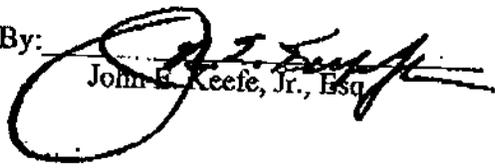
REED SMITH LLP

By: 
James A. Kosch, Esq.

Dated: October 2, 2001

On behalf of plaintiffs in the Janes case,
I hereby consent to the form and entry of
this Order.

LYNCH, MARTIN, KROLL.

By:  ^{OK}
John E. Keefe, Jr., Esq.

Dated: October 9, 2001

** the Janes group reserves its right to raise
challenges to either the form or substance of the
privilege logs produced in connection with this
litigation*