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COMMONWEALTH OF MASSACHUSETTS

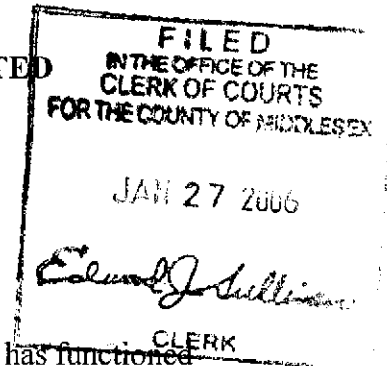
EASTERN COUNTIES, SS.

1686

SUPERIOR COURT

IN RE: MASSACHUSETTS  
ASBESTOS LITIGATION

CONSOLIDATED  
DOCKET



CASE MANAGEMENT ORDER

The Massachusetts Asbestos Litigation Consolidated Docket has functioned within the Time Standards established by Standing Order of the Superior Court for many years. The Consolidated Docket contains a variety of different dockets, including an active case docket or "trial docket"; an "inactive asbestos docket"; and various "suspended," "bankruptcy", and "pending" dockets. Not infrequently, cases on the trial docket are transferred to one of these other dockets, and the status of these cases is often ambiguous. In order to clarify the status of all cases that are part of the Consolidated Docket, including those which have not reached a final disposition but have been transferred to one of the other dockets, it is hereby **ordered** as follows:

1. There will be three separate dockets within the Massachusetts Asbestos Litigation Consolidated Docket, known as the Trial Docket, the Inactive Asbestos Docket, and the Suspended Docket.
  - a. The Trial Docket shall consist of all pending, active asbestos cases.
  - b. The Inactive Asbestos Docket shall consist of all cases filed directly in that Docket and active cases transferred to that Docket pursuant to Pre-Trial Order No. 9.
  - c. The Suspended Docket shall consist of all other cases which have not yet reached a final disposition as to all defendants. Cases may be transferred from the Trial Docket to the Suspense Docket only by order of the Court, and similarly, cases may be removed from the Suspended Docket and returned to the Trial Docket only by order of the Court.
  
2. The dockets set forth above shall be established by April 15, 2006, using the following procedure:
  - a. The Trial Docket: By January 27, 2006, Plaintiffs' and Defendants' Liaison Counsel shall meet and prepare a list, arranged by Plaintiffs' Liaison Counsel, of all cases believed to be part of the Trial Docket. This list shall be distributed by Plaintiffs' Liaison Counsel to each Plaintiffs' Counsel by February 3, 2006. Each Plaintiffs' Counsel shall review the portion of the list pertaining to that counsel's cases,

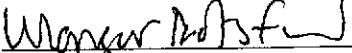
list and advise Plaintiffs' and Defendants' Liaison Counsel of any errors by February 10, 2006. Liaison Counsel shall consult with the Court to confirm conformity with the Court's records and rectify any errors by March 1, 2006, and the Court shall finalize the Trial Docket by April 15, 2006.

b. The Inactive Asbestos Docket – Also by January 27, 2006, Plaintiffs' and Defendants' Liaison Counsel shall meet and prepare a list, again arranged by Plaintiffs' Liaison Counsel, of all cases believed to be part of the Inactive Asbestos Docket. This list shall be distributed by Plaintiffs' Liaison Counsel to each Plaintiffs' Counsel by February 3, 2006. Each Plaintiffs' Counsel shall review the portion of this list pertaining to that counsel's cases, and advise Plaintiffs' and Defendants' Liaison Counsel of any errors by February 10, 2006. Liaison Counsel shall consult with the Court to confirm conformity with the Court's records and rectify any errors by March 1, 2006, and the Court shall finalize the Inactive Asbestos Docket by April 15, 2006.

c. The Suspended Docket – By January 27, 2006, each Plaintiffs' Counsel shall review its records and submit to Plaintiffs' Liaison Counsel a list of each case that counsel believes should be included on the Suspended Docket, including for each case the docket number, name of each plaintiff, name of each defendant, and the reason for inclusion of the case on this docket (e.g., bankruptcy). Plaintiffs' Liaison Counsel shall submit these lists to Defendants' Liaison Counsel by February 3, 2006, who shall then review each list with the group of Defendants' Counsel. Defendants' Liaison Counsel shall bring any disputes regarding these lists shall be brought to the attention of the Plaintiffs' Liaison Counsel as well as the appropriate Plaintiffs' Counsel by February 17, 2006. If counsel are unable to agree on the cases to be included on the Suspended Docket, the Plaintiffs' Counsel and Defendants' Counsel specifically concerned shall meet with the Special Master by March 3, 2006, who will issue a recommendation to the Court by March 10, 2006. The Court shall finalize the Suspended Docket by April 15, 2006.

3. Any case not included on The Trial Docket, The Inactive Asbestos Docket, or the Suspended Docket shall be deemed to have been dismissed without prejudice. No case filed before 2003 shall be added to any one of these dockets except by leave of Court upon motion for good cause shown.

SO ORDERED.

  
Margot Botsford  
Justice of the Superior Court

Dated: January 20, 2006