
In Re:	§	IN THE DISTRICT COURT OF
TEXAS STATE SILICA PRODUCTS	§	HARRIS COUNTY, TEXAS
LIABILITY LITIGATION	§	295 TH JUDICIAL DISTRICT
	§	(Judge Tracy Christopher)
	§	

This Document Relates to All Cases

ORDER NO. 2

As of December 15, 2004, approximately eighty-nine (89) actions have been transferred to the Honorable Tracy Christopher under the Texas MDL Panel's Order dated November 10, 2004. That Order assigned this Court as the Pre-Trial Judge for the Texas State Silica Products Liability Litigation as authorized by Texas Rule of Judicial Administration 13.6(a). From the Initial Pre-Trial Conference held on December 15, 2004, IT IS SO ORDERED:

1. Notice Counsel for the Plaintiffs' group are Mr. John M. Black and Mr. Bruce W. Steckler. Notice Counsel for the Defendant's group are Mr. Harvey Ferguson, Jr. and Mr. James L. Ware. The attached Appendix provides the contact information for these attorneys. Only these attorneys will be listed as counsel of record on the Master File number assigned to these actions. Notice Counsel are authorized to receive orders and notices from the Court and shall be responsible for the preparation and transmittal of copies of such orders and notices to the parties in their respective groups.

2. The steering committees for Plaintiffs and Defendants shall communicate with the Court via e-mail using the e-mail addresses provided by the Court.

3. The Court has assigned a Master File number for the Texas State Silica Products Liability Litigation. The Master File number is 2004-70000. When filed papers relate to all

actions, or globally to one or more of the defendants, the Master File number shall be used along with the style and caption provided above on this Order. If filed papers relate only to a particular action, those papers shall bear only the caption for that case and the cause number assigned to that action by the Clerk of this Court.


4. All discovery proceedings in these actions are stayed until further order of this Court.

5. No default judgment based on a failure of a defendant to timely appear in a transferred action shall be taken. After transfer to this Court, a party's first responsive pleadings in an action shall be filed in this Court.

6. The Court will allow counsel to appear at future hearings via teleconference, provided that all arrangements for call-in information are made by and through counsel. The Court will not originate any telephone conferences from the bench. The principal speakers for any hearing are strongly encouraged to appear in person.

7. The terms of this Order shall apply automatically to actions later instituted in or transferred to this Court.

Signed this 10th day of Jan, _____, 2005.


Honorable Tracy Christopher
Pre-Trial Judge

APPENDIX TO ORDER NO. 2

Notice Counsel for Plaintiffs' Group:

Mr. John M. Black
Texas State Bar No. 24006850
Heard, Robins, Cloud, Lubel & Greenwood, LLP
One Allen Center
500 Dallas, Suite 3100
Houston, Texas 77002
(713) 650-1200 telephone
(713) 650-1400 facsimile
jblack@heardrobins.com

Mr. Bruce W. Steckler
Texas State Bar No. 00785039
Silber Pearlman, L.L.P.
2711 N. Haskell Avenue
Cityplace 5th Floor L.B. 32
Dallas, Texas 75204
(214) 871-7000 telephone
(214) 824-8100 facsimile
BruceS@splaw.com

Notice Counsel for Defendants' Group:

Mr. Harvey Ferguson, Jr.
Texas State Bar No. 06913500
Gonzales, Hoblit & Ferguson, LLP
One Riverwalk Place
700 N. St. Mary's Street, Suite 1800
San Antonio, Texas 78205
(210) 224-9991 telephone
(210) 226-1544 facsimile
HFerguson@ghf-lawfirm.com

Mr. James L. Ware
Texas State Bar No. 20861800
Sheehy, Serpe & Ware, P.C.
2500 Two Houston Center
909 Fannin Street
Houston, Texas 77010-1003
(713) 951-1100 telephone
(713) 951-1199 facsimile
JWare@SSWPC.com