

In Re:
TEXAS STATE SILICA PRODUCTS
LIABILITY LITIGATION

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IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS
295TH JUDICIAL DISTRICT
(Judge Tracy Christopher)

This Document Relates to All Cases

No. 3
**ORDER APPOINTING DEFENDANTS' LIAISON STEERING COMMITTEE AND
DEFENDANTS' NOTICE COUNSEL**

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On this day, came on to be heard the Motion for Appointment of Defendants' Liaison Steering Committee and Notice Counsel of Movants Defendants 3M Company; Borden Chemical, Inc.; Custom Aggregates and Grinding, Inc.; Eastern Safety Equipment Co., Inc.; Gardner Denver, Inc.; Louis M. Gerson Co., Inc.; Hanson Aggregates, Inc. f/k/a Pioneer Concrete of Texas, Inc. Mine Safety Appliances Company.; Norton Company (n/k/a Saint-Gobain Abrasives Inc.); North Safety Products Inc.; Olgebay Norton Industrial Sands, Inc.; Porter Warner Industries, LLC; Siebe North Inc.; Textron Inc.; Titan Machinery, Inc.; and U.S. Silica Company. The Court, being satisfied that due notice of the filing of this Motion and of the hearing thereon has been given and after considering the pleadings and arguments of counsel, is of the opinion that the Motion should be GRANTED.

IT IS THEREFORE ORDERED that, pursuant to Texas Rule of Judicial Administration 13.6(c)(7), the Court appoints a Defense Liaison Steering Committee to include the following individuals:

- Curt Webb, Esq.
Beck, Redden & Secret L.L.P.
Counsel for 3M Company

- Barbara Barron, Esq.
Mehaffy & Weber
Counsel for Porter Warner Industries, LLC; Custom Aggregates and Grinding, Inc.; Borden Chemical, Inc.; and Titan Machinery, Inc.
- Harvey Ferguson, Jr., Esq.
Gonzales, Hoblit & Ferguson, LLP
Counsel for Eastern Safety Equipment Co., Inc. and Parmelee Industries, Inc. a/k/a U.S. Safety Products, Inc. in its own right and as successor to Cesco Safety Product Company
- Robert E. Thackston, Esq.
Hawkins, Parnell & Thackston, LLP
Counsel for Gardner Denver, Inc.
- James L. Ware, Esq.
Sheehy, Serpe & Ware, P.C.
Counsel for Louis M. Gerson Co., Inc.
- Karen K. Maston, Esq.
Connelly Baker Maston Wotring Jackson, LLP
Counsel for Mine Safety Appliances Company
- Thomas B. Taylor, Esq.
Taylor & Warren L.L.P.
Counsel for Oglebay Norton Industrial Sands, Inc. and Hanson Aggregates, Inc. f/k/a Pioneer Concrete of Texas, Inc.
- Christopher Groves, Esq.
Jones Day
Counsel for Norton Company (n/k/a Saint-Gobain Abrasives Inc.); North Safety Products Inc.; Siebe North Inc.; and Textron Inc.
- Steven L. Russell, Esq.
Beirne, Maynard & Parsons LLP
U.S. Silica Company f/k/a Pennsylvania Glass Company, successor in interest to the Ottawa Silica Company

The Court recognizes that the Defense Liaison Steering Committee, as a group, does not represent the Defendants, and that it cannot bind any Defendant by its actions. All Defendants, including Defendants represented by the Liaison Steering Committee members, retain the right

to oppose, without prejudice, any position taken by the Liaison Steering Committee or to advance, without prejudice, any position opposed by the Liaison Steering Committee.

IT IS FURTHER ORDERED that Harvey Ferguson, Jr. and James L. Ware are appointed to serve as notice counsel for the Defendants in this litigation.

Signed this 10th day of Jan., 2005


Honorable Tracy Christopher
Pre-Trial Judge