

CAUSE NO. 2004-03964

IN RE

ASBESTOS LITIGATION

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

11<sup>th</sup> JUDICIAL DISTRICT

Proposed Amendment to the Asbestos MDL CMO:

The proposed language (to be inserted in Section V.B. as 9. at the bottom of page 14 or as a second sentence in V.B.8.) that we discussed at our meeting is:

If summary judgment is sought based solely on the absence of evidence of the requisite mental status of the defendant, no hearing on such motion may be set before that defendant has tendered its corporate representative for deposition.

A hearing in which the Court will consider this amendment will be held on September 28, 2012 at the conclusion of the MDL Docket.

Signed on the 7<sup>th</sup> day of September, 2012.



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Mark Davidson