

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

In re: Baycol Products Litigation

MDL No. 1431

This Document Relates to All Actions

Pretrial Order No. 87

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At the June 20, 2003 status conference, the Court set the next status conference for July 15-16, 2003 at 10:00 a.m. Typically, status conferences are scheduled for one day, but as a number of motions are scheduled for hearing in July, the Court scheduled the second date to ensure that sufficient time was available.

The Court was notified by e-mail on Thursday, July 10, 2003 that certain counsel for the Plaintiffs would not be available on Tuesday, July 15, 2003. On Friday, July 11, 2003, at 4:25 p.m., Plaintiffs requested by e-mail that the status conference be held only on July 16, 2003. No motion for a continuance was filed.

As the Court made clear at the status conference on June 20, 2003, the July conference was scheduled for July 15, 2003, and July 16 was set aside for carryover.

THE COURT: Set the next status conference starting on July 15<sup>th</sup> at ten, and also on the 16<sup>th</sup>. We have those two dates.

MR. ZIMMERMAN: Also ten if we start?

THE COURT: Yes, we'll adjust that. If it's a carryover for the last couple of hours, we can start early, so people can get on planes and get out of here.

June 20, 2003, Transcript, p. 102.

In setting the status conference for July 15 and 16, the Court accommodated the schedules of the parties even though these dates conflict with the Court's commitments

to the Eighth Circuit Judicial Conference also scheduled for those dates.

As it is clear from the record that July 16<sup>th</sup> date was aside for carryover, and based on the Court's commitments to the Eighth Circuit Judicial Conference, Plaintiffs' last minute request by e-mail to change the status conference to July 16, 2003 must be denied.

IT IS HEREBY ORDERED that Plaintiffs' request for a continuance of the July status conference is DENIED.

Date:

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Michael J. Davis  
United States District Court