

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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-	:	
IN RE: FLEET PHOSPHO-SODA	:	<b><u>CASE MANAGEMENT</u></b>
PRODUCTS LIABILITY LITIGATION	:	<b><u>ORDER</u></b>
	:	
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-	:	
PATRICIA SCHAMBERGER and RAYMOND	:	Index No. 101323/09
SCHAMBERGER,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
C.B. FLEET HOLDING CO, INC., <i>et al.</i> ,	:	
	:	
Defendants.	X	
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-	:	
SHARON STRASSEL and WILLIAM STRASSEL,	:	
	:	
Plaintiffs,	:	Index No. 103864/09
	:	
-against-	:	
	:	
C.B. FLEET HOLDING CO, INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	
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-	:	
THOMAS ROSS and MONICA ROSS,	:	
	:	
Plaintiffs,	:	Index No. 109894/09
	:	
-against-	:	
	:	
C.B. FLEET HOLDING CO, INC., <i>et al.</i> ,	:	
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-	:	

The parties having appeared before the Court on July 15, 2009 to address the entry of a case management order governing the above-captioned cases, it is hereby ORDERED that:

1. The C.B. Fleet named defendants shall interpose an Answer or otherwise respond to plaintiffs' Complaint in the *Ross* matter on or before August 31, 2009.
2. Deposition of plaintiffs Patricia Schamberger, Sharon Strassel, and Thomas Ross shall be completed on or before November 16, 2009.
3. On or before July 31, 2009, the parties shall agree to dates for the depositions of Fleet witnesses Jeff Rowan and Doug Bellaire to take place on dates before October 27, 2009.
4. A status conference in these actions shall be held on October 14, 2009, at 2:15 p.m
5. Depositions of Raymond Schamberger, William Strassel, and Monica Ross shall be completed on or before December 15, 2009, unless otherwise agreed to by the parties.
6. Depositions of all non-parties and case specific fact discovery shall be completed on or before December 15, 2009.
7. Plaintiffs' shall serve case-specific expert disclosures with expert reports pursuant to CPLR 3101(d)(1)(iii) on or before January 15, 2010.
8. Defendants' shall serve case-specific expert disclosures with expert reports pursuant to CPLR 3101(d)(1)(iii) on or before February 5, 2010.
9. The parties agree to meet and confer on, and give reasonable consideration to, any request to depose a case specific expert witness.
10. The parties shall make all reasonable efforts to coordinate common-issue expert discovery with the proceedings in the federal Multi-District Litigation, In Re: Oral Sodium Phosphate Solution-Based Products Liability Litigation (MDL No. 09-2066) pending in the Northern District of Ohio (the "FPS MDL").
11. Within 30 days of the issuance of any Case Management Order in FPS MDL, defense counsel shall provide a copy of such Case Management Order to this Court.
12. All discovery in these actions shall be completed on or before March 2, 2010.
13. The Note of Issue and Certificate of Readiness in each of these cases shall be filed on or before March 6, 2010.
14. These deadlines shall not be modified, except upon Order of the Court for good cause shown.

Dated: New York, New York  
July 15, 2009

**SO ORDERED**

  
**MARCY S. FRIEDMAN, J.S.C.**