

STATE OF MINNESOTA

OCT - 5 2006

IN SUPREME COURT

FILED

C4-87-2406

In Re Minnesota Asbestos Litigation.

ORDER

By order of this court dated November 16, 2001, the Honorable Michael T. DeCourcy, of the Second Judicial District, was assigned to hear and decide all asbestos-related claims brought in Minnesota state courts. Due to the press of other judicial duties assigned to Judge DeCourcy, those cases must be reassigned. Accordingly, the cases will be reassigned, and at the request of the Chief Judge of the Second Judicial District, the cases will be assigned to two judges.

In addition, as contemplated in the original consolidation order of December 14, 1987, the consolidation judge may determine that trial of some or all of the asbestos cases should take place before a judge of the district in which the cases are venued. In the interest of consistent, efficient and economical trial of these cases, a single judge in each of the affected districts was appointed in the November 16, 2001 order to preside over remaining pretrial and trial proceedings in cases designated by the consolidation judge. The judge then appointed for the Ninth Judicial District has left the bench.

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED, pursuant to Minn. Stat. §§ 480.16 and 2.724 (2004) and Minn. Gen. R. Prac. 113.03, that the Honorable John T. Finley and the Honorable Dale B. Lindman, of the Second Judicial District, having consented, are hereby appointed effective January 2, 2007, to hear and decide all matters, including all pretrial and trial proceedings, in all presently pending and future actions before Minnesota state district courts, whether relating to personal injury, death or property damage, that arise from or seek recovery for the manufacture, distribution, use or exposure to asbestos and asbestos-containing products under the same terms and conditions as provided in the judicial assignment order of this court dated December 14, 1987. To maintain the efficiencies intended by this order and its predecessors, Judges Finley and Lindman shall implement procedures (1) to facilitate submission of issues common to all cases covered by this order to a single judge, and (2) in consultation with the Second Judicial District Court Administrator, to coordinate assignment of specific cases to a particular judge and to communicate the assignment information to counsel.

IT IS FURTHER ORDERED that if the consolidation judges find it desirable to have a replacement judge assigned from the Ninth Judicial District to hear asbestos cases venued in that district, they may request such assignment from the Chief Judge of the Ninth Judicial District.

Dated: October 5, 2006



Russell A. Anderson
Chief Justice