

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

IN RE BAYCOL PRODUCTS : MDL No. 1431  
LIABILITY LITIGATION : (MJD/JGL)  
:   
: Pretrial Order No. 141

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Pursuant to the Court's direction, the parties have met, conferred, and submitted a stipulated proposed order setting forth procedures for managing cases in which plaintiffs and/or their counsel have been directly impacted by Hurricane Katrina or Hurricane Rita. Based on these proceedings, IT IS HEREBY ORDERED:

**I. Automatic Stay for Certain Cases:** A stay is entered as to a plaintiff's claim where either (a) the plaintiff resides in one of the following counties or parishes OR (b) the counsel directly responsible for plaintiff's claim work primarily from an office located in one of the following counties or parishes:

- **Alabama:** Mobile or Baldwin;
- **Louisiana:** Acadia, Allen, Assumption, Jefferson, Lafayette, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany, Tangipahoa, Terrebonne, Vermillion or Washington;
- **Mississippi:** Adams, Amite, Clarke, Covington, Forest, Franklin, George, Greene, Hancock, Harrison, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Pearl River, Perry, Pike, Simpson, Smith, Stone, Walthall, Wayne, or Wilkinson;
- **Texas:** Hardin, Jasper, Jeffereson, Liberty, Newton, Orange, Polk or Tyler.

The "counsel directly responsible" is defined as counsel who submitted the Plaintiff Fact Sheet or, where no Plaintiff Fact Sheet has been submitted, who signed the complaint.

**II. Exception to Applicability of Automatic Stay:** To prevent abuse of § I, if the counsel directly responsible for plaintiff's claim is actively litigating other cases, an automatic stay based solely on § I(b) will terminate following notice to that counsel and to the Court.

**III. Length of Automatic Stay:** The automatic stay set forth in § I shall extend through November 30, 2005. Its scope and duration can be revised at that time, in light of changing circumstances.

- IV. Requests for Extensions:** For a plaintiff's claim not subject to the automatic stay set forth in § I but as to which plaintiff or counsel require relief from MDL deadlines due to Hurricane Katrina or Hurricane Rita, counsel may request an extension from defendants. If a disagreement arises about a request for such an extension, the issue shall be resolved by Special Master Roger Haydock.

Dated: October 3, 2005

s/ Michael J. Davis  
Michael J. Davis  
United States District Court