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UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT FILED

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DIENE MONOMER (EPDM) :
ANTITRUST LITIGATION :3:03MD1542(PCD)

SEP 11 2 21 PM '03

DISTRICT COURT
NEW HAVEN, CONN.

THIS DOCUMENT RELATES TO:
ALL ACTIONS

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PRACTICE AND PROCEDURE ORDER

1. This Order shall govern the practice and procedure in those actions transferred to this Court by the Judicial Panel on Multidistrict Litigation ("JPML") pursuant to their Order of August 11, 2003 as well as all related actions originally filed in this Court or transferred or removed to this Court. These actions are listed in Schedule A attached hereto. This Order shall also govern the practice and procedure in any tag-along actions transferred to this Court by the Judicial Panel on Multidistrict Litigation pursuant to Rule 12 of the Rules of Procedure of that Panel subsequent to the filing of the final transfer order by the Clerk of this Court and any related actions subsequently filed in this Court or otherwise transferred or removed to this Court.
2. The actions described in paragraph 1 of this Order are coordinated for pretrial purposes.
3. A signed original of any pleading or paper shall be filed; no copies will be necessary. All papers filed in these actions shall bear the identification "3:03MD1542(PCD)," and when such paper relates to all these actions, the MDL docket number shall be followed only by the notation "THIS DOCUMENT RELATES TO: ALL ACTIONS." If such paper does not relate to all of these actions the individual docket numbers assigned by the Clerk of this Court (as listed in Schedule A hereto) of those actions to which the paper relates shall also be listed. If such paper relates to five or fewer actions, the abbreviated caption of each of the actions may be listed opposite its number.
4. Any paper which is to be filed in any of these actions shall be filed with the Clerk of this Court and not with the transferor district court.
5. Counsel who appeared in the transferor district court prior to the transfer need not enter a separate appearance before this Court.
6. Prior to the first pretrial conference, service of all papers shall be made on each of the attorneys on the Panel Attorney Service List attached hereto as Schedule B. Any attorney who wishes to have his name added to or deleted from such Panel Attorney Service List may do so upon request to the Clerk of this Court with notice to all other persons on such service list. Service shall be deemed sufficient if made upon all attorneys on the Panel Attorney Service List.

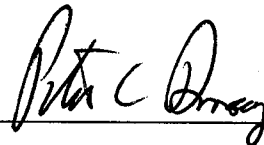
The parties shall present to the Court at the first pretrial conference a list of attorneys for purposes of service. Only one attorney for each party separately represented shall be included on such list.

7. Prior to the first pretrial conference, counsel for each group of parties whose interests are similarly aligned shall designate liaison counsel, subject to the approval of this Court. Liaison counsel shall be authorized to receive orders and notices from the Court on behalf of all parties within their liaison group and shall be responsible for the preparation and transmittal of copies of such orders and notices to the parties in their liaison group. Liaison counsel shall be required to maintain complete files with copies of all documents served upon them and shall make such files available to parties within their liaison group upon request. Liaison counsel are also authorized to receive orders and notices from the JPML pursuant to Rule 8(e) of the Panel's Rules of Procedure on behalf of all parties within their liaison group and shall be responsible for the preparation and transmittal of copies of such orders and notices to the parties in their liaison group.
8. Upon remand of any of these actions, the parties will be required to provide to this Court copies of any necessary and relevant papers previously filed.
9. No parties to any of these actions shall be required to obtain local counsel in this district and the requirements of Rules 83.1(c) and 83.1(d) of the Rules of this Court are waived as to any attorney appearing in these actions who is duly admitted to practice before any United States Court.
10. Hearings shall not be held on any motions filed except by order of Court upon such notice as the Court may direct.
11. Any paper filed in any of these actions which is substantially identical to any other paper filed in another of these actions shall be sufficient if it incorporates by reference the paper to which it is substantially identical. Where counsel for more than one party plan to file substantially identical papers, they shall join in the submission of such papers and shall file only one paper on behalf of all so joined.
12. Any orders including protective orders previously entered by this Court or any transferor district court shall remain in full force and effect unless modified by this Court upon application.
13. All discovery proceedings in these actions are stayed until further order of this Court and the time requirements to perform any acts or file any papers pursuant to FED. R. CIV. P. 26 through 37 are tolled until the first pretrial conference at which time a discovery schedule will be established. In preparation for the first pretrial conference, counsel for all Plaintiffs shall formulate a proposed discovery schedule, shall review their proposed discovery schedule with Defendants, and shall submit their agreed upon schedule to the Court for approval on or before October 31, 2003.

14. The Court will be guided by the MANUAL FOR COMPLEX LITIGATION, THIRD, approved by the Judicial Conference of the United States and counsel are directed to familiarize themselves with that publication.
15. This Court requests the assistance of counsel in calling to the attention of the Clerk of this Court the filing or transfer of any case that might be properly coordinated as part of the EPDM Antitrust Litigation.
16. All filings shall comply with the service and filing requirements of this Court's Supplemental Order. [*See* Doc. No. 5].
17. All other matters will be discussed at the initial pretrial conference which will be scheduled by separate Order. Within 20 days of the date of this Order, counsel shall furnish suggestions for items to be include on the agenda for this conference.

SO ORDERED.

Dated at New Haven, Connecticut, September 11, 2003.

A handwritten signature in black ink, appearing to read "Peter C. Dorsey", is written over a horizontal line.

Peter C. Dorsey
United States District Judge