

SUPREME COURT OF THE STATE OF NEW YORK
ALL COUNTIES WITHIN THE CITY OF NEW YORK

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IN RE: NEW YORK CITY ASBESTOS LITIGATION

New York City
Asbestos Litigation
NYCAL

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This Document Relates To:

All Cases

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Index No. 40000/88

**CMO AMENDMENT
RE: FIFO CLUSTERS**

October 14, 2013

By amendment to Paragraph Sections XV.B.2 and XV.B.5 of the Case Management Order dated May 26, 2011, the Court hereby orders as follows:

Section XV.B.2

Commencing with the November 2014 FIFO Trial Group, the Special Master shall publish FIFO Trial Groups of fifty (50) cases each, made up of cases from NYCAL's Active Docket. FIFO Trial Groups will be published for each of the following seven (7) months each year:


- February
- March
- May
- June
- August
- September
- November

On an annual basis, the Court may consider increasing or decreasing the size of each FIFO Trial Group or the number of FIFO Trial Groups published each year depending on the number of cases included on the Active Docket or submitted for inclusion on the Active Docket at that time.

Section XV.B.5

The fifty (50) case Monthly FIFO Trial Groups shall be listed for Trial by date of original filing except by agreement of Plaintiff's and Defendant's Liaison counsel, by recommendation of the Special Master or by Order of the Court.

SO ORDERED:
Dated: October 22, 2013
New York, New York



Hon. Sherry Klein Heitler

HON. SHERRY KLEIN HEITLER