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IN THE SUPREME COURT OF THE STATE OF MONTANA

IN RE ASBESTOS LITIGATION,

Consolidated Cases

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Cause No. AC 17-0694

NOTICE OF DECONSOLIDATION

Pursuant to the standards articulated by the Court at the January 31, 2018, Status Conference and in its subsequent February 6th Order, Defendant agrees that the Asbestos Claims Court does not have jurisdiction over the case *Fischer v. BNSF Railway Company, et al.*, Cause No. ADV-16-0256, (originally filed in the Eight Judicial District Court, Cascade County), and in the matter captioned hereby provide this Notice of Deconsolidation. The Court has indicated it does not have statutory jurisdiction over non-Libby and non-vermiculite related claims arising from alleged asbestos exposure. Because the damages claimed do not “arise out of an asbestos-related disease that is alleged to result from the mining of vermiculite, the processing of vermiculite, or the transfer, storage, installation, or removal of a product containing vermiculite” or mixed exposure, this matter is to be deconsolidated and remanded back to the Eight Judicial District Court, Cascade County. See Order, Feb. 6, 2018.

DATED this 23rd day of February, 2018.

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By: /s/ Chad M. Knight

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Electronically Signed By: Chad M. Knight
Dated: 02-23-2018