

Chad Knight
Anthony Nicastro
Nadia Patrick
KNIGHT NICASTRO LLC
519 Southwest Blvd.
Kansas City, MO 64108
Telephone: (303) 815-5869
Facsimile: (303) 845-9299
knight@KnightNicastro.com
nicastro@ KnightNicastro.com
npatrick@KnightNicastro.com
Attorney for BNSF Railway Company

IN THE SUPREME COURT OF THE STATE OF MONTANA	
IN RE ASBESTOS LITIGATION,	Cause No. AC 17-0694
<i>Consolidated Cases.</i>	OBJECTIONS TO PLAINTIFFS' MASTER DISCOVERY REQUESTS TO DEFENDANT BNSF

**OBJECTIONS TO PLAINTIFFS' MASTER DISCOVERY REQUESTS
TO DEFENDANT BNSF**

Defendant BNSF Railway Company ("BNSF") hereby files their Objections to Plaintiffs' Master Discovery Requests to BNSF, served on February 23, 2018. Plaintiffs' Master Discovery Requests to BNSF ("Plaintiffs' Requests") generally¹ fail to comply with governing law because they are unnecessarily cumulative, not reasonably limited

¹Although BNSF is making its general objections to Plaintiffs' Requests in accordance with the Court's February 6, 2018 Order, BNSF expressly reserves the right to object to any served discovery within the 30-days allowed by Mont. R. Civ. P. 33 and Mont. R. Civ. P. 34. Further, BNSF reserves the right to seek a protective order if Plaintiffs are allowed to serve their Requests in their current form.

in time or scope, and seek discovery of information that is privileged. For these reasons, and those further articulated herein, BNSF respectfully requests the Court reject Plaintiffs' Proposed Requests, and require them to submit a new set of proposed Master Discovery that comports with Montana law and the recommendations made by the *Manual for Complex Litigation, Fourth* ("MCL").

A. Plaintiffs' Requests Are Broad and Many Go Beyond the Scope of Discovery

A party may seek a protective order where the discovery sought is an annoyance, embarrassment, oppression or undue burden or cost. Mont. R. Civ. P. 26(c). In those instances, the Court has the discretion of forbidding the discovery or limiting the discovery as necessary. Mont. R. Civ. P. 26 (c). Interrogatories should be tailored to primarily help determine the existence, identity and location of witnesses, documents and other tangible evidence. MCL 11.46. Requests for Production should be tailored with "reasonable particularity." MCL 11.443, Mont. R. Civ. P. 34(b)(1)(A).

Plaintiffs have failed to craft requests that are narrowly tailored in scope and time. Many of Plaintiffs' Requests ask for the disclosure of extremely broad categories of information. For example, Interrogatory No. 4 requests that BNSF "identify all claims of exposure, lawsuits, or requests for compensation made against BNSF, or any of its insurers or agents, between 1950 and the present based upon alleged exposure in Lincoln County, Montana to Asbestos, Libby Vermiculite, Associated Asbestos, Asbestos-containing products or associated dust or fibers." This request is extremely

overbroad in that spans nearly 7 decades, instead of narrowly tailoring the request to fit each Plaintiffs' exposure period. For example, instead of stating "between 1950 and the present," the request could have blanks to allow the proper tailoring of the request "between ____ and the ____". Interrogatory Nos. 15-19 and 23, along with Request for Production Nos. 2, 5, 7, 8, 11, 15, 17, 20, 21, 24 and 27 are equally broad, with many of them failing to even limit exposure locations to Libby, MT. Even more egregious is Interrogatory No. 10 which requests that BNSF "identify **all** persons that have knowledge that is **generally relevant** in **all** Plaintiffs' cases..." (emphasis added). Requiring BNSF to respond to such a request would not only be unduly burdensome, it would require BNSF to divine what is "generally relevant" to Plaintiffs' case.

Finally, Plaintiffs' requests seek to place a burden upon BNSF that is beyond the scope of discovery. A perfect example is Plaintiffs' General Procedures which not only seek full responses, but also a detailed description of "the efforts [BNSF] made to obtain the requested information." Forcing BNSF to answer discovery requests that are beyond the scope of litigation in these cases would be unfairly burdensome for BNSF to answer. Therefore, such requests should not be allowed by the Court.

B. Plaintiffs Seek the Discovery of Privileged Information

An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given to the client in the course of professional employment. § 26-1-803, MCA. Yet, many of the Requests made by Plaintiffs are so broad, they would encompass communications that would be protected

from disclosure by the attorney-client privilege. For example, Interrogatory No. 3 requests “bases that BNSF relied upon in reviewing, considering, and implementing any policies...” This broad request would undoubtedly include privileged communications between BNSF and its attorneys. As would Interrogatory 26 (asking for notes that might be in BNSF’s attorney’s possession), Request for Production No. 7 (broadly asks for communications regarding Libby Vermiculite), and Request for Production No. 11 (broadly requests documents regarding the remediation efforts BNSF undertook in Libby). Most brazen is Interrogatory No. 11, which asks BNSF to “provide the factual and legal basis” for its response to the interrogatory. Such a request is clearly covered by the attorney-client privilege, and should not be allowed.

Plaintiffs’ Requests also seek information that is protected from disclosure by the work-product doctrine. Rule 26(b)(3) precludes inquiry into information taken “in anticipation of litigation.” This standard “stems from the theory that attorney ‘work product’ is privileged, a concept first articulated in *Hickman v. Taylor* (1947), 329 U.S. 495, 67 S.Ct. 385, 91 L.Ed. 451.” *State ex rel. Burlington N. R.R. v. District Court*, 239 Mont. 207, 217 (1989). Although discovery may be allowed in limited circumstances, “the exercise of the trial court's discretion in each case must involve striking a balance between ensuring that counsel for the requesting party is not permitted to build his case on the work done by his opponents and fostering sufficient disclosure to enable the ultimate determination of the issues to be based on a full development and presentation of the relevant facts. The first element requires a consideration of the efforts made by

counsel to obtain the same or equivalent material. The second element requires a consideration of the nature of the material and the purpose for which it is sought.” *Id.* at 216. Here, without meeting the burdens imposed by the Montana Supreme Court, Plaintiffs have proposed more than one request for the disclosure of work-product. For example, Interrogatory No. 14 asks about statements that have been obtained by BNSF in anticipation of litigation. Interrogatory No. 26 asks about written, recorded, or transcribed statements that have been obtained by BNSF in anticipation of litigation. These requests are inappropriate, and should not be allowed by the Court.

C. The Information Plaintiffs Seek to Have Included in a Privilege Log is Not Required Under Montana Law

When a party withholds information otherwise discoverable by claiming that the information is privilege, the party must expressly make the claim and describe the nature of the documents, communications, or things not produced or disclosed and do so in a manner that, without revealing the information itself, will enable other parties to assess the claim. Mont. R. Civ. P. 26(b)(6). Although privilege logs are a useful tool to provide to the Court for in-camera reviews, they are not necessarily required to be disclosed to opposing counsel because “a privilege log can have the effect of disclosing privileged information and litigation strategy.” *Town of Manhattan v. Robbins*, 2003 ML 782, 30, 2003 Mont. Dist. LEXIS 2969, *12.

Here, Plaintiffs are not only seeking to require BNSF to provide a privilege log—they have detailed **ten** separate categories of information the privilege log is to contain.

These detailed categories, combined with the high number of inappropriate requests seeking disclosure of attorney-client privileged information, would surely lead to the disclosure of privileged information and BNSF's litigation strategy. Furthermore, given that Plaintiff has specifically made requests that would encompass emails sent between BNSF and its legal counsel, complying with providing an up-to-date privilege log of those communication would not only be unduly burdensome—it would be impossible to comply with.

D. Plaintiffs' Requests Regarding Consulting Experts Are Improper

Rule 26(b)(4)(B), M.R.Civ.P. provides that “[a] party may discover facts known or opinions held by an expert who has been retained or specially employed by another party in anticipation of litigation or preparation for trial and who is not expected to be called as a witness at trial, **only as provided in Rule 35(b) or upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means.**” (emphasis added). “The identity of non-witness experts is discoverable under Rule 26(b)(4)(B), M.R.Civ.P., only upon a showing of exceptional circumstances.” *State ex rel. Burlington N. R.R. v. District Court*, 239 Mont. 207, 214 (1989).

Here, Plaintiffs have proposed several Requests that specifically seek disclosure of consulting experts. For example, Interrogatory No. 8 asks BNSF to identify “all specialists, scientists, researchers, engineers, technicians or other professionals whom BNSF, or anyone acting on its behalf, **has consulted with** respect to any matter

regarding ... identification should include the name, address, and field of specialization of each such individual, group, or organization, the subject matter on which they consulted, the substance of the facts and issues upon which they were asked to consult, and a summary of their findings, opinions, and conclusions.” Plaintiffs make similar requests in Interrogatory No. 9, Request for Production No. 3, Request for Production No. 12(b), and Request for Production No. 13. Such requests, without first exhibiting any exceptional needs or circumstances, is contrary to Montana law—and should not be allowed by the Court.

E. Plaintiffs’ Requests are Duplicative of Litigation in Prior Cases

Parties may be barred from propounding interrogatories that an adversary has already answered in other litigation, when such answers are available by the adversary. MCL 11.464. Request for Production No. 29 seeks documents that have already been produced to Plaintiffs’ counsel through responses to discovery requests in two cases (Daley v. BNSF, DV-05-882; and Watson v. BNSF, ADV-10-0740-currently pending before this Court), and disclosures in an additional seven cases currently pending before this Court (*Braaten v. BNSF*, DV-15-0768; *Calboun v. BNSF*, DV-14-0428; *Day v. BNSF*, DV-16-0616; *Eschenbacher v. BNSF*, DV-16-0058; *Flores v. BNSF*, DV-17-0259; *Johns v. BNSF*, DV-15-0430; and *Tong v. BNSF*, DV-16-0412). These discovery responses and disclosures contain, in their entirety, the extremely voluminous documents Plaintiffs are again seeking in Request for Production No. 29. To require BNSF to produce them,

again, to the same set of opposing counsel would be unnecessarily burdensome for all parties involved. Therefore, the Court should not allow this Request.

F. CONCLUSION

For the reasons fully articulated herein, BNSF respectfully requests the Court reject Plaintiffs' Proposed Requests, and require them to submit a new set of proposed Master Discovery that comports with Montana law and the recommendations made by the *Manual for Complex Litigation, Fourth* ("MCL").

DATED this 2nd day of March, 2018.

KNIGHT NICASTRO, LLC

By: /s/ Chad M. Knight

Chad M. Knight

Anthony M. Nicastro

Nadia H. Patrick

Knight Nicastro, LLC

Attorneys for BNSF Railway

Company and John Swing

CERTIFICATE OF SERVICE

I, Tara N. Thal, hereby certify that I have served true and accurate copies of the foregoing - Defendants' Objections to Plaintiffs' Master Discovery to BNSF - to the following on March 2, 2018:

<u>Law Firm</u>	<u>Counsel</u>	<u>Representing</u>
McGarvey Herberling Sullivan & Lacey 345 1st Ave E Kalispell, MT 59901	<i>Roger M. Sullivan</i> rsullivan@mcgarveylaw.com	Barnes, et al; Adams, et al; Clairmont, et al; Mary A. Robertson
	<i>Allan M. McGarvey</i> amcgarvey@mcgarveylaw.com	
	<i>Jon L. Herberling</i> johaire@mcgarveylaw.com	
	<i>John F. Lacey</i> jlacey@mcgarveylaw.com	
	<i>Ethan Aubrey Welder</i> ewelder@mcgarveylaw.com	
	<i>Dustin Alan Richard Leftridge</i> dleftridge@mcgarveylaw.com	
Crist, Krogh & Nord PLLC 2708 1 st Ave N. Billings, MT 59101	<i>Harlan B. Krogh</i> hkrogh@cristlaw.com	ITT LLC, et al
Crowley Fleck, PLLP 305 S. 4th St. E Missoula, MT 59801	<i>Jeffrey R. Kuchel</i> jkuchel@crowleyfleck.com	Accel Performanc Group, LLC, et al; MW Customs Papers, LLC
	<i>Danielle A.R. Coffman</i> dcoffman@crowleyfleck.com	
	<i>Steven Robert Milch</i> smilch@crowleyfleck.com	Farm Equipment Sales, Inc.
	<i>Joe C. Maynard</i> jmaynard@crowleyfleck.com	
Foley & Mansfield 250 Marquette Avenue Suite 1200 Minneapolis, MN 55401	<i>Elizabeth M. Sorenson Brotten</i> ebrotten@foleymansfield.com	McMaster-Carr Supply Company
Ugrin Alexander Zadick, P.C. #2 Railroad Square, Suite B P.O. Box 1746 Great Falls, Montana 59403	<i>Gary M. Zadick</i> gmz@uazh.com	Honeywell International
N.A.	<i>Kathryn Kohn Troidahl</i> kohnkathryn1@gmail.com	Heather M. Haney, Plaintiff
Moyers Law PC 490 N 31st St. Suite 101 Billings, MT 59101	<i>Jon Mark Moyers</i> jon@jmoyerslaw.com	

Simon Greenstone Panatier Bartlett 3232 McKinney Avenue Suite 610 Dallas, Texas 75204	<i>Steven Scott Schulte</i> sschulte@sgpblaw.com	
Moulton Bellingham, P.C. 27 North 27th Street, Suite 1900 P.O. Box 2559 Billings, MT 59103-2559	<i>Gerry P. Fagan</i> Gerry.Fagan@moultonbellingham.com	CNH Industrial America
Nelson Law Firm, P.C. 2619 St. Johns Avenue, Suite E Billings, Montana 59102	<i>Thomas C. Bancroft</i> tbancroft@nelsonlawmontana.com	Arrowood Indemnity Co.
Milodragovich, Dale & Steinbrenner, PC 620 High Park Way Missoula, MT 59803	<i>Patrick G. HagEstad</i> gpatrick@bigskylawyers.com	Crane Co.; Riley Stoker Corp, et al.; United Conveyor Corp.
	<i>Rachel Hendershot Parkin</i> rparkin@bigskylawyers.com	Crane Co.
Marra Evenson & Bell, P.C. 2 Railroad Square, Suite C P.O. Box 1525 Great Falls, MT 59403-1525	<i>Kirk D. Evenson</i> kevenson@marralawfirm.com	CBS Corp.; Hennessy Industries, Inc.
Poore, Roth & Robinson, P.C. 1341 Harrison Ave Butte, MT 59701	<i>Mark Andrew Thieszen</i> mark@prrlaw.com	The William Powell Co.; Atlantic Richfield Co., et al
	<i>Patrick M. Sullivan</i> pss@prrlaw.com	
	<i>John Patrick Davis</i> jpd@prrlaw.com	Atlantic Richfield Company, et al.
Williams Law Firm 235 E Pine St Missoula, MT 59802	<i>Mark S. Williams</i> mark@wmslaw.com	Moodie Implement Co.; Eaton Corp.
	<i>Peter Babbel Ivins</i> peter@wmslaw.com	
Forman Watkins & Krutz, LLP 210 East Capitol Street Suite 2200 Jackson, Mississippi 39201-2375	<i>Jennifer M. Studebaker</i> jennifer.studebaker@formanwatkins.com	Goulds Pump, LLC; Grinnell Corp.; ITT, LLC, et al.; International Paper Co.;
	<i>Joshua Alexander Leggett</i> josh.leggett@formanwatkins.com	
	<i>Vernon M McFarland</i> vernon.mcfarland@formanwatkins.com	
Faure Holden PC 1314 Central Ave, Great Falls, MT 59401 Faure Holden PC 1314 Central Ave, Great Falls, MT 59401	<i>Jean Elizabeth Faure</i> jfaure@faureholden.com	Goulds Pump, LLC; Grinnell Corp.; ITT, LLC, et al.; Borg Warner Morse Tec LLC; International Paper Co.;
	<i>Jason Trinity Holden</i> jholden@faureholden.com	
	<i>Katie Rose Ranta</i> kranta@faureholden.com	Borg Warner Morse Tec LLC

Garlington, Lohn & Robinson, PLLP P.O. Box 7909 Missoula, MT 59807	Elizabeth Laurence Hausbeck elhausbeck@garlington.com	Mack Trucks, Inc.; PACCAR Inc.; Deere & Company; Navistar, Inc.; Bestwall LLC f/k/a Georgia Pacific LLC
	Justin K. Cole jkcole@garlington.com	
	Leah T. Handelman lthandelman@garlington.com	
	Robert J. Phillips rjphillips@garlington.com	BNSF Railway Company; Grefco Inc. et al
	Emma L. Mediak elmediak@garlington.com	
	Robert L. Nowels rlnowels@garlington.com	
Browning Kaleczyc Berry & Hoven, P.C. 201 Railroad St W # 300 Missoula, MT 59802	Chad E. Adams chad@bkbh.com	Union Pacific Railroad Co.; Soo Line Railroad Co.; Weir Valves & Controls USA; Cyprus Amex Minerals Co.; Fischbach and Moore, Inc. et al; American Honda Motor Co., Inc.; Harder Mechanical Contractors; Nissan North American Inc.
	J. Daniel Hoven dan@bkbh.com	Union Pacific Railroad Co.; Soo Line Railroad Co.
	Daniel J. Auerbach daniel@bkbh.com	Weir Valves & Controls USA; Cyprus Amex Mineral Co.
	Leo Sean Ward leow@bkbh.com	Weir Valves & Controls USA; Cyprus Amex Mineral Co.; Fischbach and Moore Inc. et al; American Honda Motor Co., Inc.; Harder Mechanical Contractors; Nissan North American Inc.
Holland & Hart 401 North 31st Street	Scott W. Mitchell smitchell@hollandhart.com	Pfizer, Inc.

Suite 1500 Billings, MT 59101	Brianne McClafferty bcmclafferty@hollandhart.com	
Dorsey & Whitney LLP <i>Missoula:</i> Millennium Building 125 Bank Street, Suite 600 Missoula, MT 59802-4407 <i>Salt Lake:</i> 111 South Main Street Suite 2100 Salt Lake City, UT 84111-2176	Stephen D. Bell bell.steve@dorsey.com Dan R. Larsen larsen.dan@dorsey.com	Ford Motor Co.
Helland Law Firm, PLLC 311 Klein Ave Glasgow, MT 59230	Peter L. Helland phelland@hellandlawfirm.com	
Bohyer Erickson Beaudette & Tranel, PC 283 W Front St # 201 Missoula, MT 59802	John Eric Bohyer mail@bebtlaw.com Ryan T. Heuwinkel mail@bebtlaw.com	New Holland North America, Inc.
Brown Law Firm 269 W Front St Ste. A Missoula, MT 59802	Kelly Gallinger kgallinger@brownfirm.com	Maryland Casualty Corp.
Doney Crowley Payne Bloomquist PC 44 6th Ave Helena, MT 59601	Richard Allan Payne rpayne@doneylaw.com John Connors Jconnors@doneylaw.com Mark Smith msmith@doneylaw.com	The Goodyear Tire & Rubber Co.
Axilon Law Group, PLLC 125 Bank St #403 Missoula, MT 59802	Susan G. Ridgeway sridgeway@axilonlaw.com Jill Melissa Gerdrum jgerdrum@axilonlaw.com T. Thomas Singer tsinger@axilonlaw.com	Genuine Parts Company Genuine Parts Company; Toyota Motor Sales, U.S.A. Inc.
Keller Law Firm, P.C. 50 S Last Chance Gulch St Helena, MT 59601	Charles J. Seifert cjseifert@kellerlawmt.com Ryan Lorenz rlorenz@kellerlawmt.com	Ford Motor Co.; Maryland Casualty Corp.; Tilleman Motors and Zerbe Brothers Maryland Casualty Corp.; Tilleman Motors and Zerbe Brothers
Jardine Stephenson Blewett PC 300 Central Ave # 700 Great Falls, MT 59401	Robert B. Pfennings bpfennings@jardinelaw.com Rick A. Regh	Stimson Lumber Co.; Zurn Industries Inc.; Mazda Motor of America, Inc.

	rreggh@jardinelaw.com	
	<i>Mark Trevor Wilson</i> mwilson@jardinelaw.com	
Jackson, Murdo & Grant, P.C. 203 N Ewing St Helena, MT 59601	<i>Robert M. Murdo</i> murdo@jmgm.com	Mine Safety Appliance Co. LLC
	<i>Murry Warhank</i> mwarhank@jmgm.com	
Kovacich Snipes, P.C. 725 3rd Ave N. Great Falls, MT 59401	<i>Ben A. Snipes</i> ben@mttriallawyers.com	Backen, et al; Sue Kukus, et al
	<i>Mark M. Kovacich</i> mark@mttriallawyers.com	
	<i>Ross Thomas Johnson</i> ross@mttriallawyers.com	
Boone Karlberg P.C. 201 W Main St Suite 300 Missoula, MT 59802	<i>Randy J. Cox</i> rcox@boonekarlberg.com	A.W. Chesterson Co.; Volkswagon of America, Inc.
	<i>Zachary Aaron Franz</i> zfranz@boonekarlberg.com	A.W. Chesterson Co.
	<i>Thomas J. Leonard</i> tleonard@boonekarlberg.com	Volkswagon of America, Inc.
	<i>Robert J. Sullivan</i> bsullivan@boonekarlberg.com	Ingersoll-Rand Co.
Snell & Wilmer <i>Phoenix:</i> One Arizona Center 400 East Van Buren Street Suite 1900 Phoenix, AZ 85004-2202 <i>Las Vegas:</i> Hughes Center 3883 Howard Hughes Parkway Suite 1100 Las Vegas, NV 89169-5958 <i>Salt Lake City:</i> Gateway Tower West	<i>M. Covey Morris</i> mcmorris@swlaw.com	FMC Corporation
	<i>Tracy H. Fowler</i> tfowler@swlaw.com	The Proctor & Gamble Company, et al.
	<i>Vaughn A. Crawford</i> vcrawford@swlaw.com	

15 West South Temple Suite 1200 Salt Lake City, UT 84101-1547 <i>Denver:</i> Tabor Center 1200 Seventeenth Street Suite 1900 Denver, CO 80202-5854		
Moore Cockrell Goicoechea & Johnson, P.C. PO Box 7370 Kalispell, MT 59904	<i>Dale R. Cockrell</i> dcockrell@mcgalaw.com	State of Montana
Law Offices of Bob Fain 2060 Overland Avenue, Suite D Billings, Montana 59102	<i>Bob Fain</i> bob@fainlaw.com	Gomez, et al.
Lewis Brisbois 1700 Lincoln Street Suite 4000 Denver, CO 80203	<i>Ronald L. Hellbusch</i> ronald.hellbusch@lewisbrisbois.com	AGCO Corporation, et al.
N.A.	<i>Leslie Budewitz</i> leslie@lesliebudewitz.com	
Attorney's Inc. 301 W Spruce St. Missoula, MT 59802	<i>Rexford L. Palmer</i> attorneysinc@montana.com	Alexander, et al.
Pustorino, Tilton, Parrington & Lindquist, PLLC 6600 France Ave S #680, Minneapolis, MN 55435	<i>Jon P. Parrington</i> jpp@pptplaw.com	Hennessy Industries, Inc.
Worden Thane 321 W. Broadway, Suite 300 Missoula, MT 59802	<i>Martin S. King</i> mking@wordenthane.com	Foster Wheeler Energy Services, Inc.
Davis Hatley Haffeman & Tighe, P.C. 101 River Drive North Milwaukee Station, 3rd Floor Great Falls, MT 59401	<i>Maxon R. Davis</i> max.davis@dhhtlaw.com	Continental Casualty Co.
Lewis Roca Rothgerber Christie 1200 Seventeenth Street Suite 3000 Denver, CO 80202	<i>Michael D. Plachy</i> mplachy@lrrc.com	Honeywell International
	<i>Conor A. Flanigan</i> cflanigan@lrrc.com	
Michael Crill P.O. Box 145 Rimrock 86335	<i>Michael Crill</i> MAIL ONLY	Self- Represented
Christopher S. Marks 520 Pike St., Suite 2200 Seattle, 98101	<i>Christopher S. Marks</i> MAIL ONLY	Volkswagen of America, Inc.

/s/ Tara N. Thal

CERTIFICATE OF SERVICE

I, Chad M. Knight, hereby certify that I have served true and accurate copies of the foregoing
Other - Other to the following on 03-02-2018:

Amy Poehling Eddy (Attorney)
920 South Main
Kalispell MT 59901
Representing: Amy Eddy
Service Method: eService

Roger M. Sullivan (Attorney)
345 1st Avenue E
MT
Kalispell MT 59901
Representing: Adams, et al
Service Method: eService

Allan M. McGarvey (Attorney)
345 1st Avenue East
Kalispell MT 59901
Representing: Adams, et al
Service Method: eService

Jon L. Heberling (Attorney)
345 First Ave E
Kalispell MT 59901
Representing: Adams, et al
Service Method: eService

John F. Lacey (Attorney)
345 1st Avenue East
Kalispell MT 59901
Representing: Adams, et al
Service Method: eService

Ethan Aubrey Welder (Attorney)
345 1st Avenue East
Kalispell MT 59901
Representing: Adams, et al
Service Method: eService

Dustin Alan Richard Leftridge (Attorney)
345 First Avenue East
Montana
Kalispell MT 59901
Representing: Adams, et al
Service Method: eService

Jeffrey R. Kuchel (Attorney)
305 South 4th Street East
Suite 100
Missoula MT 59801
Representing: Accel Performance Group LLC, et al, MW Customs Papers, LLC
Service Method: eService

Danielle A.R. Coffman (Attorney)
1667 Whitefish Stage Rd
Kalispell MT 59901
Representing: Accel Performance Group LLC, et al, MW Customs Papers, LLC
Service Method: eService

Gary M. Zadick (Attorney)
P.O. Box 1746
#2 Railroad Square, Suite B
Great Falls MT 59403
Representing: Honeywell International
Service Method: eService

Gerry P. Fagan (Attorney)
27 North 27th Street, Suite 1900
P O Box 2559
Billings MT 59103-2559
Representing: CNH Industrial America LLC
Service Method: eService

Thomas C. Bancroft (Attorney)
2619 St. Johns Ave., Suite E
Billings MT 59102
Representing: Arrowood Indemnity Company
Service Method: eService

G. Patrick HagEstad (Attorney)
PO Box 4947
Missoula MT 59806
Representing: Crane Co., United Conveyor Corporation, Riley Stoker Corporation et al
Service Method: eService

Rachel Hendershot Parkin (Attorney)
PO Box 4947

Missoula MT 59806
Representing: Crane Co.
Service Method: eService

Kirk D. Evenson (Attorney)
Marra, Evenson & Bell, P.C.
P.O. Box 1525
Great Falls MT 59403
Representing: CBS Corporation, Hennessy Industries, Inc.
Service Method: eService

Mark Andrew Thieszen (Attorney)
Poore Roth & Robinson, P.C.
1341 Harrison Ave
Butte MT 59701
Representing: The William Powell Company, Atlantic Richfield Company, et al
Service Method: eService

Patrick M. Sullivan (Attorney)
1341 Harrison Ave
Butte MT 59701
Representing: The William Powell Company, Atlantic Richfield Company, et al
Service Method: eService

Mark S. Williams (Attorney)
235 East Pine
PO BOX 9440
Missoula MT 59807-9440
Representing: Moodie Implement Company, Eaton Corporation
Service Method: eService

Peter Babbel Ivins (Attorney)
PO Box 9440
235 E. Pine St.
Missoula MT 59807
Representing: Moodie Implement Company, Eaton Corporation
Service Method: eService

Jennifer Marie Studebaker (Attorney)
210 East Capitol Street
Suite 2200
Jackson MS 39201
Representing: Goulds Pump LLC, Grinnell Corporation, ITT LLC, et al, International Paper Co.
Service Method: eService

Joshua Alexander Leggett (Attorney)
210 East Capitol Street, Suite 2200
Jackson MS 39201-2375
Representing: Goulds Pump LLC, Grinnell Corporation, ITT LLC, et al, International Paper Co.

Service Method: eService

Vernon M. McFarland (Attorney)
200 South Lamar Street, Suite 100
Jackson MS 39201-4099

Representing: Goulds Pump LLC, Grinnell Corporation, ITT LLC, et al, International Paper Co.
Service Method: eService

Jean Elizabeth Faure (Attorney)
P.O. Box 2466
1314 Central Avenue
Great Falls MT 59403

Representing: Goulds Pump LLC, Grinnell Corporation, ITT LLC, et al, Borg Warner Morse Tec LLC, International Paper Co.
Service Method: eService

Jason Trinity Holden (Attorney)
1314 CENTRAL AVE
P.O. BOX 2466
Montana
GREAT FALLS MT 59403

Representing: Goulds Pump LLC, Grinnell Corporation, ITT LLC, et al, Borg Warner Morse Tec LLC, International Paper Co.
Service Method: eService

Chad E. Adams (Attorney)
PO Box 1697
Helena MT 59624

Representing: Weir Valves & Controls USA, Cyprus Amex Minerals Company, Fischbach and Moore, Inc. et al, American Honda Motor Co., Inc., Harder Mechanical Contractors, Nissan North American Inc.
Service Method: eService

W. Scott Mitchell (Attorney)
P.O. Box 639
401 N. 31st Street
Suite 1500
Billings MT 59101
Representing: Pfizer, Inc.
Service Method: eService

Brianne McClafferty (Attorney)
401 North 31st Street, Suite 1500
P. O. Box 639
Billings MT 59103-0639
Representing: Pfizer, Inc.
Service Method: eService

Steven Robert Milch (Attorney)

P.O. Box 2529
Billings MT 59101
Representing: Farm Equipment Sales, Inc.
Service Method: eService

Joe C. Maynard (Attorney)
PO Box 2529
Billings MT 59103
Representing: Farm Equipment Sales, Inc.
Service Method: eService

Katie Rose Ranta (Attorney)
Faure Holden, Attorneys at Law, P.C.
1314 Central Avenue
P.O. Box 2466
GREAT FALLS MT 59403
Representing: Borg Warner Morse Tec LLC
Service Method: eService

Ryan T. Heuwinkel (Attorney)
283 W Front St, Suite 201
PO Box 7729
Missoula MT 59807
Representing: New Holland North America, Inc.
Service Method: eService

John Eric Bohyer (Attorney)
283 W Front, Suite 201
PO Box 7729
Missoula MT 59807
Representing: New Holland North America, Inc.
Service Method: eService

John Patrick Davis (Attorney)
1341 Harrison Avenue
Butte MT 59701
Representing: Atlantic Richfield Company, et al
Service Method: eService

Stephen Dolan Bell (Attorney)
Dorsey & Whitney LLP
125 Bank Street
Suite 600
Missoula MT 59802
Representing: Ford Motor Company
Service Method: eService

Dan R. Larsen (Attorney)
Dorsey & Whitney LLP

111 South Main
Suite 2100
Salt Lake City UT 84111
Representing: Ford Motor Company
Service Method: eService

Peter L. Helland (Attorney)
311 Klein Avenue, Suite A
P.O. Box 512
Glasgow MT 59230
Representing: Ford Motor Company
Service Method: eService

Kelly Gallinger (Attorney)
315 North 24th Street
Billings MT 59101
Representing: Maryland Casualty Corporation
Service Method: eService

Richard Allan Payne (Attorney)
44 West 6th Ave, Suite 200
P.O. Box 1185
Helena MT 59624
Representing: The Goodyear Tire & Rubber Company
Service Method: eService

Jack G. Connors (Attorney)
P.O. Box 1185
Helena MT 59624
Representing: The Goodyear Tire & Rubber Company
Service Method: eService

Mark M. Smith (Attorney)
44 W. 6th Ave.
Suite 200
Helena MT 59624
Representing: The Goodyear Tire & Rubber Company
Service Method: eService

Susan G. Ridgeway (Attorney)
125 Bank Street
Suite 403
Missoula MT 59802
Representing: Genuine Parts Company
Service Method: eService

Jill Melissa Gerdrum (Attorney)
125 Bank Street
Millennium Building, Suite 403

Missoula MT 59802
Representing: Genuine Parts Company
Service Method: eService

T. Thomas Singer (Attorney)
Axilon Law Group, PLLC
PO Box 987
Billings MT 59103-0987
Representing: Genuine Parts Company, Toyota Motor Sales, U.S.A., Inc.
Service Method: eService

Charles J. Seifert (Attorney)
P.O. Box 598
Helena MT 59624
Representing: Ford Motor Company, Maryland Casualty Corporation
Service Method: eService

Robert J. Phillips (Attorney)
Garlington, Lohn & Robinson, PLLP
P.O. Box 7909
Missoula MT 59807
Representing: BNSF Railway Company
Service Method: eService

Emma Laughlin Mediak (Attorney)
Garlington, Lohn & Robinson, PLLP
P.O. Box 7909
Missoula MT 59807
Representing: BNSF Railway Company
Service Method: eService

Daniel Jordan Auerbach (Attorney)
201 West Railroad St., Suite 300
Missoula MT 59802
Representing: Weir Valves & Controls USA, Cyprus Amex Minerals Company
Service Method: eService

Leo Sean Ward (Attorney)
PO Box 1697
Helena MT 59624
Representing: Weir Valves & Controls USA, Cyprus Amex Minerals Company, Fischbach and Moore, Inc. et al, American Honda Motor Co., Inc., Harder Mechanical Contractors, Nissan North American Inc.
Service Method: eService

Robert B. Pfennigs (Attorney)
P.O. Box 2269
Great Falls MT 59403
Representing: Stimson Lumber Company, Zurn Industries, Inc., Mazda Motor of America, Inc.

Service Method: eService

Rick A. Regh (Attorney)

P.O. Box 2269

GREAT FALLS MT 59403

Representing: Stimson Lumber Company, Zurn Industries, Inc., Mazda Motor of America, Inc.

Service Method: eService

Mark Trevor Wilson (Attorney)

300 Central Ave.

7th Floor

P.O. Box 2269

Great Falls MT 59403

Representing: Stimson Lumber Company, Zurn Industries, Inc., Mazda Motor of America, Inc.

Service Method: eService

Robert M. Murdo (Attorney)

203 North Ewing

Helena MT 59601

Representing: Mine Safety Appliance Company LLC

Service Method: eService

Murry Warhank (Attorney)

203 North Ewing Street

Helena MT 59601

Representing: Mine Safety Appliance Company LLC

Service Method: eService

Ben A. Snipes (Attorney)

Kovacich Snipes, PC

P.O. Box 2325

Great Falls MT 59403

Representing: Backen et al, Sue Kukus, et al

Service Method: eService

Mark M. Kovacich (Attorney)

Kovacich Snipes, PC

P.O. Box 2325

Great Falls MT 59403

Representing: Backen et al, Sue Kukus, et al

Service Method: eService

Ross Thomas Johnson (Attorney)

P.O. Box 2325

Great Falls MT 59403

Representing: Backen et al, Sue Kukus, et al

Service Method: eService

Randy J. Cox (Attorney)

P. O. Box 9199
Missoula MT 59807
Representing: A.W. Chesterson Company
Service Method: eService

Zachary Aaron Franz (Attorney)
201 W. Main St.
Suite 300
Missoula MT 59802
Representing: A.W. Chesterson Company
Service Method: eService

M. Covey Morris (Attorney)
Tabor Center
1200 Seventeenth St., Ste. 1900
Denver CO 80202
Representing: FMC Corporation
Service Method: eService

Robert J. Sullivan (Attorney)
PO Box 9199
Missoula MT 59807
Representing: Ingersoll-Rand, Co.
Service Method: eService

Dale R. Cockrell (Attorney)
145 Commons Loop, Suite 200
P.O. Box 7370
Kalispell MT 59904
Representing: State of Montana
Service Method: eService

Vaughn A. Crawford (Attorney)
SNELL & WILMER, L.L.P.
400 East Van Buren
Suite 1900
Phoenix AZ 85004
Representing: The Proctor & Gamble Company et al
Service Method: eService

Tracy H. Fowler (Attorney)
15 West South Temple
Suite 1200
South Jordan UT 84101
Representing: The Proctor & Gamble Company et al
Service Method: eService

Ronald L. Hellbusch (Attorney)
1700 Lincoln Street

Suite 4000
Denver CO 80203
Representing: AGCO Corporation et al
Service Method: eService

Leslie Ann Budewitz (Attorney)
P.O. Box 1001
Bigfork MT 59911
Representing: AGCO Corporation et al
Service Method: eService

Rexford L. Palmer (Attorney)
301 W Spruce
Missoula MT 59802
Representing: Alexander et al
Service Method: eService

Jon P. Parrington (Attorney)
6600 France Avenue South
Suite 680
Minneapolis MN 554351814
Representing: Hennessy Industries, Inc.
Service Method: eService

Martin S. King (Attorney)
321 West Broadway, Suite 300
P.O. Box 4747
Missoula MT 59806
Representing: Foster Wheeler Energy Services, Inc.
Service Method: eService

Maxon R. Davis (Attorney)
P.O. Box 2103
Great Falls MT 59403
Representing: Continental Casualty Company
Service Method: eService

Geoffrey R. Keller (Attorney)
PO Box 1098
Billings MT 59103
Representing: ABCO Supply Inc.
Service Method: eService

Tom L. Lewis (Attorney)
2715 Park Garden Lane
Great Falls MT 59404
Representing: Harold N. Samples
Service Method: eService

Keith Edward Ekstrom (Attorney)
601 Carlson Parkway #995
Minnetonka MN 55305
Representing: Brent Wetsch
Service Method: eService

William Rossbach (Attorney)
401 N. Washington
P. O. Box 8988
Missoula MT 59807
Representing: Michael Letasky
Service Method: eService

Kennedy C. Ramos (Attorney)
1717 Pennsylvania Avenue NW
1200
wash DC 20006
Representing: Maryland Casualty Corporation
Service Method: eService

Edward J. Longosz (Attorney)
1717 Pennsylvania Avenue NW
Suite 1200
Washington DC 20006
Representing: Maryland Casualty Corporation
Service Method: eService

Michael Crill (Other)
PO Box 145
Rimrock AZ 86335
Service Method: Conventional

Michael D. Plachy (Attorney)
1200 17th Street
Denver CO 80202
Representing: Honeywell International
Service Method: Conventional

Conor A. Flanigan (Attorney)
1200 17th Street
Denver CO 80202
Representing: Honeywell International
Service Method: Conventional

Fredric A. Bremseth (Attorney)
601 Carlson Parkway, Suite 995
Minnetonka MN 55305-5232
Representing: Brent Wetsch
Service Method: Conventional

Walter G. Watkins (Attorney)
210 E. Capitol Street, Ste. 2200
Jackson MS 39201
Representing: International Paper Co.
Service Method: Conventional

Electronically Signed By: Chad M. Knight
Dated: 03-02-2018