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IN THE SUPREME COURT OF THE STATE OF MONTANA

IN RE ASBESTOS LITIGATION,

Cause No. AC 17-0694

Consolidated Cases.

Applicable to James D. Ward, Personal
Representative of the Estate of Eugene Ward,
Deceased, *et al.* v. International Paper, *et al.*
(BDV 10-0839)

	JOINT MOTION FOR NEW TRIAL DATE AND SCHEDULING ORDER
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Plaintiffs and Defendant International Paper Company, by and through counsel, respectfully submit this *Joint Motion for New Trial Date and Scheduling Order* and in support of this Motion state as follows:

Counsel for Plaintiffs has advised that Plaintiff Frederick Boothman recently suffered a massive stroke and is physically unable to be deposed or participate in discovery. It is unknown at this time when Mr. Boothman's health will allow him to participate in pretrial discovery. Because of this, the parties are unable to meet the discovery or other deadlines currently in place. In addition, the parties engaged in preliminary settlement negotiations regarding this and other matters on September 18, 2018 and expect to continue those discussions. In consideration of resetting this matter, the Parties note that the Ward matter could be tried at the time now set for Jason MacDonald v. BNSF (Cascade County Cause No.17-0694) which will be moved to the deferred docket as a result of this Court's Order. As a result, neither party believes this Motion would be prejudicial.

Respectfully submitted this 21st day of September 2018.

//s// Jennifer M. Studebaker

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