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IN THE ASBESTOS CLAIMS COURT FOR THE STATE OF MONTANA

IN RE ASBESTOS LITIGATION, <i>Consolidated Cases</i>	Cause No. AC 17-0694 MHSL PLAINTIFFS' NOTICE OF <u>SECOND</u> SUPPLEMENTAL AUTHORITIES RE: DEFENDANT BNSF'S RULE 41(b) MOTION TO DISMISS Applicable to All Cases
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Pursuant to this Court's order at its July 24, 2019 hearing, on August 2, 2019, MHSL Plaintiffs provided the Court with its *Notice of Supplemental Authorities Re: Defendant BNSF's Rule 41(b) Motion to Dismiss* ("Notice of First Supplemental Authorities"). Since the filing of the *Notice of First Supplemental Authorities*, the following individuals previously included in the 114 MHSL Plaintiffs who could not complete their annual examination and PFT (*See Notice of First Supplemental Authorities*, Ex. 1) have since scheduled an annual examination and PFT:

1. Wesley Decker – September 6, 2019 at Bend Memorial Clinic in Bend, OR
2. Steven Flores – August 8, 2019 at Rocky Mountain Heart & Lung in Kalispell, MT
3. Dan Halsey – August 14, 2019 at Mat-Su Regional Hospital in Wasilla, AK
4. Francis Petrusha – August 28, 2019 at St. Peters Hospital in Helena, MT
5. Michael Plew, Sr. – August 8, 2019 at Rocky Mountain Heart & Lung in Kalispell, MT

6. Coby Spencer – August 8, 2019 at Missoula Community Hospital in Missoula, MT
7. Thomas Thompson – August 14, 2019 at The Medical Center in Bowling Green, KY
8. Gina Whitmarsh – January 13, 2020 at CARD Clinic in Libby, MT

The undersigned will notify the Court if we learn of any additional MHSL Plaintiffs who schedule their annual examination and PFT.

Respectfully submitted this 15th day of August, 2019.

McGARVEY, HEBERLING, SULLIVAN
& LACEY, P.C.

By: /s/ Jinnifer J. Mariman
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CERTIFICATE OF SERVICE

I, Jinnifer Jeresek Mariman, hereby certify that I have served true and accurate copies of the foregoing Notice - Supplemental Authority to the following on 08-15-2019:

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