

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

vs.	Plaintiff(s),	NO.
	Defendant(s)	ORDER SETTING CIVIL ASBESTOS CASE SCHEDULE
		ASSIGNED JUDGE: _____
		TRIAL DATE: _____
		SCOMIS CODE: *ORSCS

A civil asbestos case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the *Schedule* on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The *Schedule* may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

Print Name		Sign Name
------------	--	-----------

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

This asbestos case is also subject to the REVISED CONSOLIDATED PRETRIAL STYLE ORDER ("Revised Order"), published at the King County Superior Court website, www.kingcounty.gov/courts/superiorcourt/civil.aspx. Prescribed forms referenced in the Revised Order also may be found at the website.

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$230 must be paid when any answer that includes additional claims is filed in an existing case.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4.71.050 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

II. CASE SCHEDULE

CASE EVENT	DATE
DEADLINE for Plaintiff to serve Answers to Defendants First Style Interrogatories to Plaintiff.	F+60 days
DEADLINE for Plaintiff to deliver copies of all medical records employment records, etc.	F+60 days
DEADLINE for Plaintiff Disclosure Requirements (including whether case is under RCW 7.72 or under pre-Tort Reform Law). <i>[See Revised Order Para. 9.1, 9.2, 9.3].</i>	T-23 wks
DEADLINE for Defendant Disclosure Requirements. <i>[See revised Order Para. 9.1, 9.2, 9.3].</i>	T-19 wks
DEADLINE for all parties to disclose possible additional trial witnesses <i>[See Revised Order Para. 9.4].</i>	T- 15 wks
DEADLINE for Jury Demand <i>[See KCLCR 40(d)(2)].</i>	T-98 days
DEADLINE for a change in Trial Date <i>[See KCLCR 40(d)(2)].</i>	T-98 days
DEADLINE for all parties to have completed all discovery.	T-49 days
DEADLINE for Engaging in Alternative Dispute Resolution <i>[See KCLCR 16(b)].</i>	T-28 days
DEADLINE to hear Oral Argument for all dispositive motions. <i>[See CR 56, KCLCR 56].</i>	Friday T-24 days
DEADLINE: Exchange Witness & Exhibit Lists & Documentary Exhibits, and designations of testimony by deposition <i>[See KCLCR 4(j), Revised Order Para. 9.4].</i>	T-21
DEADLINE to file Joint Confirmation of Trial Readiness <i>[See KCLCR 16(a)(2)].</i>	T-21
DEADLINE for parties to serve and file: all remaining pretrial motions; list of deposition counter-designations; list of all objections to original deposition designations.	T-14 days
DEADLINE for parties to serve and file: trial memorandum; memoranda in opposition to all remaining pretrial motions; proposed jury questionnaire; proposed jury instructions; proposed verdict form(s); list of all redirect designations of depositions; list of objections to counter-designations.	T-7 days
DEADLINE for Joint Statement of Evidence.	T-7 days
DEADLINE for parties to serve and file all reply memoranda on remaining motions.	T-4 days
DEADLINE to hear oral arguments on: all remaining motions; all objections regarding deposition designations and counter-designations; and all other pretrial matters.	Friday T-3 days
Trial Date <i>[See KCLCR 40].</i>	Monday Trial (17.5mos)

III. ORDER

Pursuant to King County Local Rule 4 *[KCLCR 4]*, IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action **must** serve this *Order Setting Civil Case Schedule* and attachment on all other parties.

DATED: _____

PRESIDING JUDGE