

NO. 91-45591

ELISEO MARTINEZ, JR., ET AL

Plaintiffs,

VS.

ARCO OF THE PANHANDLE INC.;
ET AL

Defendants.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, T E X A S

55TH JUDICIAL DISTRICT

AGREED CASE MANAGEMENT ORDER

The Court finds that this case warrants the entry of a Case Management Order.

Therefore, it is ORDERED as follows:

On or before February 15, 1992, Martinez shall file the following with the Court:

1. An affidavit signed by Martinez, detailing his exposure to specific chemicals, and the dosage of each chemical to which he was exposed. The affidavit shall contain the following information:

- a. name of each chemical to which exposed;
- b. dosage of that chemical to which exposed;
- c. name of defendant responsible for that chemical;
- d. date, time and duration of each exposure to that chemical; and
- e. method of exposure, i.e., inhalation, skin contact, etc.

2. An affidavit signed by a qualified medical doctor which shall contain the following information:


- a. The doctor's medical opinion, based on a reasonable degree of medical probability, that the dosage indicated by Martinez of the chemical indicated by Martinez was the medical cause of Martinez's kidney cancer; and
 - b. The basis for that opinion, i.e., epidemiological studies, toxicological studies, in vitro testing, animal studies, etc.
3. Nothing contained herein shall preclude the parties from moving for a modification of this Case Management Order or moving for further case management orders dealing with the conduct or trial or any other matter not addressed in this Case Management Order.
4. All discovery is stayed pending the filing by Martinez of the above described statements.

SIGNED this _____ day of _____, 1991.

DISTRICT JUDGE

APPROVED:

HOFHEINZ, LONDON & FANT


STEPHEN D. BAIN

State Bar No. 01551050
3118 Richmond, Suite 200
Houston, Texas 77098
Telephone: (713) 524-7300
Telecopy: (713) 528-5677

ATTORNEY FOR PLAINTIFFS
ELISEO MARTINEZ, JR.
CONSEPCION MARTINEZ,
INDIVIDUALLY AND AS NEXT
FRIENDS FOR ELISEO
MARTINEZ III, AND TANYA
MARTINEZ

VINSON & ELKINS


ANN E. WEBB

State Bar No. 21017600
2533 First City Tower
1001 Fannin
Houston, Texas 77002-6760
Telephone: (713) 758-1016
Telecopy: (713) 758-2346

ATTORNEY FOR DEFENDANT
PAKTANK CORPORATION

FULBRIGHT & JAWORSKI

Samuel E Stubbs

SAMUEL E. STUBBS by permission

State Bar No. 19434500

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

Telephone: (713) 651-5151

Telecopy: (713) 651-5246

ATTORNEY FOR DEFENDANTS
CAIN CHEMICAL, INC.; CALGON
CORPORATION; CHEMLINK, INC.;
CHEVRON CHEMICAL COMPANY;
THE DOW CHEMICAL COMPANY;
ETHYL CORPORATION; EL DUPONT
DE NEMOURS & CO.; FMC
CORPORATION; FINA, INC.;
GAF CORPORATION; HERCULES
INCORPORATED; HOECHST
CELANESE CORP.; ICI AMERICAS,
INC.; THE LUBRIZOL CORPORATION,
MOBIL CHEMICAL COMPANY, INC.;
PHILLIPS CHEMICAL COMPANY;
QUANTUM CHEMICAL CORPORATION;
ROHM & HAAS COMPANY; SHELL OIL
COMPANY; SOLVAY POLYMERS, INC.;
UNION CARBIDE CHEMICALS
AND PLASTICS COMPANY, INC.;
AMOCO CHEMICAL COMPANY;
ARISTECH CHEMICAL CORPORATION;
MARATHON OIL COMPANY; AND
WARREN PETROLEUM, INC.

The following counsel have been contacted and join in this motion: