

STATE OF MINNESOTA  
COUNTY OF RAMSEY

DISTRICT COURT  
SECOND JUDICIAL DISTRICT

**Clifford L. Whitaker, et al, on behalf of  
themselves and all others similarly situated,**

Plaintiffs,

v.

**3M Company,**

Defendant.

CASE TYPE: CLASS ACTION  
HONORABLE JUDGE GREGG JOHNSON  
FILE NO. 62-C4-04-012239

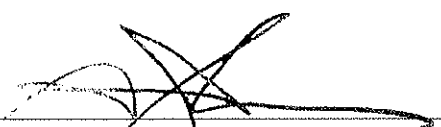
**SCHEDULING ORDER**

This matter having been remanded for additional proceedings relating to Plaintiff's Motion for Class Certification, and in light of the Minnesota Court of Appeals' Order dated April 28, 2009, this Court establishes the following schedule for the purpose of briefing, hearing, and considering Plaintiffs' Motion for Class Certification under the preponderance of the evidence standard established by the Minnesota Court of Appeals for Class Certification under Rule 23 of the Minnesota Rules of Civil Procedure.

**IT IS HEREBY ORDERED THAT:**

1. Deadlines set forth in this order may be extended only with leave of the court.
2. The court will not allow additional discovery or the updating of expert reports. The court will accept additional, supplemental briefing on the issue of class certification.
  - a. Plaintiffs' brief in support of its class certification motion must be filed and served on or before March 12, 2010.
  - b. Defendant's brief in opposition to Plaintiffs' class certification motion must be filed and served on or before April 9, 2010.
  - c. Plaintiffs' reply brief must be filed and served on or before April 23, 2010.
3. Commencing May 5, 2010 at 9:00 AM, two days shall be set aside for a hearing on class certification, which may include live expert testimony. The parties shall meet and confer with regard to each party's use of the allotted hearing time.

DATED: December 29, 2009

  
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**GREGG E. JOHNSON**  
Judge of District Court