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## Asbestos orders may be eliminated

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**S**an Francisco County Superior Court is considering eliminating long-standing orders that deal with how it manages its asbestos cases.

In a letter sent to the asbestos bar Friday, former asbestos litigation judge Harold E. Kahn wrote that Presiding Judge Katherine Feinstein was considering eliminating most of the court's so-called general orders and no longer grouping asbestos cases for some pre-trial purposes. Many of the orders were intended to streamline the handling of asbestos cases, setting, for example, restrictions on the length of depositions and limiting repetitive law and motion practice.

The court will hold a hearing on the proposed changes next month.

Ann Dolan, a spokeswoman for the San Francisco court, said that many of the orders dated back 15 years or more and had become obsolete, noting they were crafted at a time when the court was grappling with thousands of asbestos cases. Thanks to the efficiency efforts

put in place under Kahn, the court now has fewer than 600 such cases, she said.

"The court is looking to re-examine the need for these general orders, given the success of our asbestos court," Donlan said. "We are eager to hear from the attorneys affected."

Stephen Tigerman, whose firm, Harowitz & Tigerman LLP, represents asbestos plaintiffs, said that the proposed changes would dismantle a finely-crafted system and could add delays to cases at a time when the court is too cash-strapped to afford them.

"It's going to cause chaos," Tigerman said. "There are going to be disruptions to the extent that things will get so bogged down that dying plaintiffs won't be able to see their cases get to court in time."

Tigerman called the potential change "ill timed," noting that Judge Teri L. Jackson only recently took over the court from Kahn. He also said attorneys were being given too little time to comment on the proposed changes before the hearing next month.

Donlan, however, pointed out

that the Alameda County Superior Court recently rescinded its general orders without first having a hearing, something that neither court was required to do.

"The court is making a sincere effort to reach out to those affected," she said.

While Tigerman predicts big problems, an attorney on the defense side said Wednesday he wasn't anticipating chaos, although he wondered what prompted the change.

James C. Parker, a partner with Brydon Hugo & Parker, said his firm would likely support the court's proposal, noting that there were other procedures that would remain in place to ensure efficiency.

"This will not prove to be a big deal," Parker said.

The court plans to hold a hearing on the changes at 1:30 p.m. Nov. 9 in room 509 of the Civic Center Courthouse at 400 McAllister St. Attorneys will be given two rounds to submit written comments to the court before then.

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