

D.M.H. RECEIVED JUL - 9 1981

MEYER AND KIRK
ATTORNEYS AND COUNSELLORS AT LAW
100 WEST LONG LAKE ROAD, SUITE 100
BLOOMFIELD HILLS, MICHIGAN 48303
(313) 647-5111

GEORGE H. MEYER
JOHN M. KIRK
RALPH R. SAFFORD
ROBERT B. CASSETT

DETROIT OFFICE
700 BOOR BUILDING
DETROIT, MICHIGAN 48226
(313) 961-1261

July 6, 1981

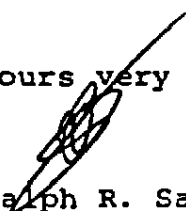
Ms. Sara E. Bigsby
Resident Deputy Clerk
United States District Court
Eastern District of Michigan
P.O. Box 68
Bay City, Mich. 48707

Re: Mikyska v Stauffer Chemical
Company et al; U.S. District
Court File No. 78-30003

Dear Ms. Bigsby:

Enclosed for filing is an original and Judge's copy of
Stauffer Chemical Company's Motion for Physical and Mental
Examination of Plaintiff Stanley Mikyska, Notice of Hearing and
Proof of Service. Thank you.

Yours very truly,

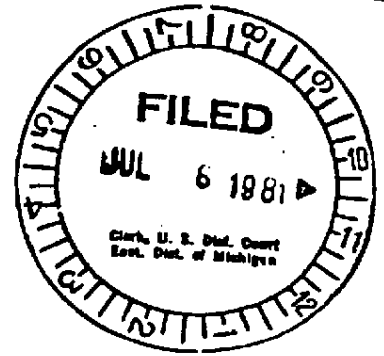

Ralph R. Safford

RRS:elb
Enclosures

cc: Mr. Dennis M. Haffey
Mr. James D. Ritchie
Mr. John J. Cassidy, Jr.
Mr. Robert A. Marsac
Ms. Gretel S. Robinson
Mr. Paul G. Bogos

URL 14296

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION



STANLEY MIKYSKA, et al,
Plaintiffs,

v

UNION CARBIDE CORP., et al,
Defendants.

CIVIL # 78-30003

ORDER

At a session of said court held in the
Federal Building, Port Huron, Michigan
on the 6th day of July, 1981

PRESENT: HONORABLE JAMES HARVEY
United States District Judge

Upon motion of the defendant Stauffer Chemical Co. herein, and the Court being duly advised in the premises, it is hereby ORDERED that the plaintiff shall schedule the continued deposition of Dr. Leonard Kasperowitz for a date prior to July 15, 1981, and give reasonable notice thereof to the defendants. FR Civ P 26(b)(4). On or before the date of the continued deposition, defendants shall tender payment to Dr. Kasperowitz in the amount of \$750.00 for time spent in his earlier deposition. Within ten days of the completion of the continued deposition, which shall in any event be no later than July 16, 1981, defendants shall tender payment to Dr. Kasperowitz for such additional time as shall be spent in deposition on or after the date of this order, at the rate of \$150.00 per hour; provided, however, that Dr. Kasperowitz shall be paid only for such time as he shall devote exclusively to the taking of the continued deposition, free from the interruptions of other business. FR Civ P 26(b)(4).

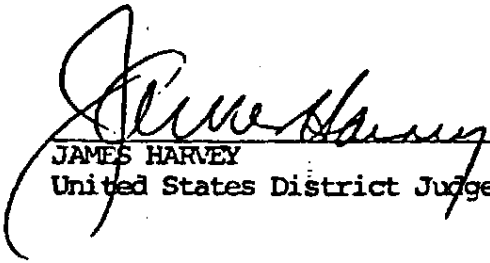
It is further ORDERED that plaintiff shall, not later than July 15, 1981, file and serve notices of deposition for each and every expert not previously deposed, whose testimony shall be relied upon by plaintiff at trial, such depositions to be completed on or before July 31, 1981. The defendants shall bear all reasonable expenses incurred for the time spent by such experts in deposition.

The testimony of any expert witness of the plaintiff whose deposition shall

URL 14297

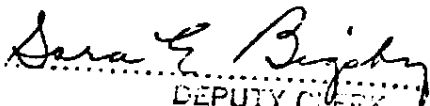
not be taken in accordance with this Order shall be inadmissible at trial, unless otherwise ordered by this Court for good cause shown. FR Civ P 37(b).

IT IS SO ORDERED.


JAMES HARVEY
United States District Judge

URL 14298

A TRUE COPY

BY 
DEPUTY CLERK