UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator, et al., Plaintiffs,	:	
vs.	:	✓CA 04-312L
JEFFREY DERDERIAN, et al., Defendants.	:	
ESTATE OF JUDE B. HENAULT, et al., Plaintiffs,	:	
vs.	:	CA 03-483L
AMERICAN FOAM CORPORATION, et al., Defendants.	:	

ORDER
CONTINUING HEARING
ON PLAINTIFFS' MOTION FOR
PARTICULARIZED NEED DISCOVERY

In light of the State of Rhode Island's representation that Superior Court Associate Justice Francis J. Darigan, Jr., has indicated that he will listen to the civil parties regarding their interest in the foam and that he will set a date for such hearing on March 14, 2005, see Letter from Assistant Attorney General James R. Lee to this Magistrate Judge of 2/18/05, the hearing on Plaintiffs' Motion for Particularized Need Discovery[1]

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[1] Plaintiffs' Motion for Particularized Need Discovery, filed January 5, 2005, seeks:

> production from the Defendants State of Rhode Island and Town of West Warwick of representative samples of the polyurethane foam seized by state and local law enforcement authorities from the Station Nightclub in the immediate aftermath of the fire which occurred on February 20, 2003. Specifically, Plaintiffs seek sequestration of one square foot of foam from

362

which had been scheduled for March 11, 2005, at 2:00 p.m. is hereby continued to April 4, 2005, at 2:00 p.m.

The hearing on Defendant JBL Incorporated's Motion for Limited Discovery[2] remains scheduled for March 11, 2005, at 2:00 p.m.

So Ordered.[3]

ENTER:

David L. Martin

DAVID L. MARTIN
UNITED STATES MAGISTRATE JUDGE
February 23, 2005

BY ORDER:

Deputy Clerk

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1) each of the sheets of foam seized from the site of the Station Fire now in the possession of the State of Rhode Island and/or the Town of West Warwick and 2) any control samples retained by the State of Rhode Island from the foam samples provided to its expert, Joseph Zicherman[,] for testing.

Plaintiffs' Motion for Particularized Need Discovery at 1.

[2] Defendant JBL Incorporated's Motion for Limited Discovery requests permission to file interrogatories and requests for production seeking information about speakers and/or amplifiers allegedly manufactured by it which were on the premises at the time of fire. See Memorandum of Law in Support of JBL Incorporated's Motion for Limited Discovery.

[3] The clerk is directed to send a courtesy copy of this order to Judge Darigan.