

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY
CIVIL DIVISION

IN RE:

DISCONTINUANCES IN
ASBESTOS CASES
NOTICE TO OTHER PARTIES
UNDER Pa. R.C.P. 229

7/27 : NO. 89-90000-12-2

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ADMINISTRATIVE ORDER NO. 33

AND NOW, June 11, 1990, in all asbestos cases where more than one party has been named as an original defendant or joined as an additional defendant, the case against any party may be discontinued as to less than all defendants under the procedures set forth in Pa. R. C. P. 229.

Under Rule 229, a discontinuance may not be entered without leave of court.

Notice requirements: The party requesting discontinuance shall notify all other parties by ordinary mail: (1) that a discontinuance approval will be requested from the court; (2) the reason for the proposed discontinuance; and (3) that a discontinuance motion will be filed after the expiration of twenty (20) days from the date of mailing said notice if no objections are received by counsel for the discontinuing party within that time.

Uncontested discontinuances: If no objections have been received by discontinuing counsel, he or she may file a motion and proposed order with the Court certifying that the discontinuance is unopposed and setting forth compliance with the notice requirements.

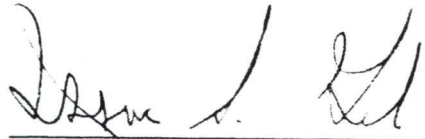
The Prothonotary is directed to forward said motion to the asbestos judge forthwith.

Bucks County Rule 266 memoranda are not required in uncontested discontinuance cases.

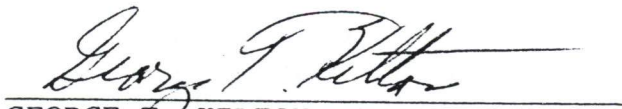
Contested discontinuances: If an objection has been received, discontinuance will be allowed only after motion and rule to show cause upon the objecting party. If an issue of fact is raised by the answer to the motion, the court may fix a hearing upon the request of any party.

Multiple actions: Leave is hereby granted to file a single uncontested discontinuance motion involving more than one party. In such event, the caption shall list all cases to which the motion applies.

BY THE COURT:



ISAAC S. GARB, PRESIDENT JUDGE



GEORGE T. KELTON, J.

County of Bucks, S. S.

I, do hereby certify that the Within and foregoing is a true and attested copy of *Administrative Order # 34* in the within entitled case as the same remains on file in the Court of Common Pleas

 Deputy Prothonotary.