

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: E. I. DU PONT DE
NEMOURS AND COMPANY C-8
PERSONAL INJURY LITIGATION

CASE NO. 2:13-md-2433

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE ELIZABETH P.
DEAVERS

This document relates to: *Travis and Julie Abbott v. E. I. du Pont de Nemours and Company, et al., Case No. 2:17-cv-00998*

**DEFENDANT E. I. DU PONT DE NEMOURS AND COMPANY'S
RESPONSE TO COURT'S MARCH 2, 2020 ORDER, AND NOTICE OF FILING**

In the Court's March 2, 2020 Order [ECF No. 179] ("March 2 Order"), it comments that Defendant E. I. du Pont de Nemours and Company ("DuPont") offered an "unsupported claim" that "Juror 54 was visibly in tears". *See* March 2 Order at 1. In response, and to clarify the record, DuPont respectfully submits the attached two declarations that provided the basis for DuPont's statement that Juror 54 was visibly in tears when she returned to the courtroom prior to the reading of the *Allen* charge.

DuPont hereby files this response and the attached two declarations in support of DuPont's Motion for Mistrial [ECF No. 188] at 8, and for the purposes of the record for any potential appeal:

1. Attached hereto as Exhibit 1 is a true and correct copy of Damond R. Mace's March 4, 2020 Declaration.
2. Attached hereto is Exhibit 2 is a true and correct copy of Katherine A. Spicer's March 4, 2020 Declaration.

Respectfully submitted,

s/ Damond R. Mace

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Attorneys for Defendant E. I. du Pont de Nemours and Company

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing was electronically filed with this Court's CM/ECF system on this 4th day of March 2020, and accordingly served automatically upon all counsel of record for this matter.

s/ Damond R. Mace

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