

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS, INDIANA

IN RE BRIDGESTONE/FIRESTONE, INC.)	Master File No. IP 00-9373-C-B/S
ATX, ATX II and WILDERNESS TIRES)	MDL Docket No. 1373
PRODUCTS LIABILITY LITIGATION)	
)	
)	
)	
THIS DOCUMENT RELATES TO ALL)	
ACTIONS)	

ORDER REGARDING FIRESTONE’S DOCUMENT PRODUCTION

Pursuant to the agreement reached between the plaintiffs and defendant Bridgestone/Firestone, Inc. (“Firestone”), Firestone shall satisfy its obligation to respond to plaintiffs’ requests for production of documents as follows:

Firestone will make available to the parties in this action, as well as counsel in any related state court action upon their signing the confidentiality order approved by the Court in this proceeding, its depository of approximately 250 boxes of hard copy documents located in Akron, Ohio for inspection and, to the extent requested, copying at the reasonable expense of the requesting party. That depository is located at 1200 Firestone Parkway, Akron, Ohio. The depository is accessible in person pursuant to the following operating policies and procedures:

1. Documents are available for review in the Depository Monday through Friday, 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. The Depository will be closed at all other times.
2. Admittance to the Document Depository is by appointment only. A minimum of one week’s notice is required.

3. Prior to reviewing documents in the Depository, each individual must sign a Confidentiality Agreement and/or Protective Order. The details of any such agreement or order will be addressed by Firestone's counsel in each respective case.
4. A written list of all the individuals who will be reviewing documents must be submitted to Firestone's counsel each day. Individuals whose names are not on the list will not be allowed into the Depository by security personnel.
5. Individuals reviewing documents are to remain in the assigned production area only and are not to enter other parts of the facility. Documents may not be removed from the Document Depository conference room.
6. To enter the Depository at 1200 Firestone Parkway, Akron, Ohio, individuals shall proceed to the guard station at the north end of the building and check in with security personnel. They will then be directed to a specific parking area and doorway, where they will be met by a Firestone representative.
7. Individuals must sign in/out of the Depository upon arrival/departure, including any lunch break.
8. Admittance to the Document Depository at any one time will be limited to a maximum of six individuals who represent any one party. No more than six boxes of documents will be produced at any one time.
9. All questions of Firestone personnel must be written. The production paralegal will deliver the questions to the appropriate personnel at the end of the shift.
10. Requested documents must be identified by Bates numbers. Arrangements for copying and delivery of documents and billing will be made at the end of each party's document review.
11. Individuals reviewing documents are not permitted to bring video recorders, cameras, copying equipment or imaging equipment onto the premises.

These policies and procedures have been established and are in use for the operation of the depository for non-consolidated litigants. Firestone has stated that it is willing to be flexible regarding policies relating to the number of persons to be admitted at any one time within the scope of the MDL proceeding.

The documents in the Firestone depository are produced as they were kept in the usual course of business. The materials are organized by box and the documents are identified and indexed by document identification number range; sources; and general subject content of the documents in each box. Firestone will provide the parties with the depository indices. Firestone will inform plaintiffs' lead counsel of any supplemental materials added to the depository, providing an index of the additional material.

Appointments for admission of MDL counsel to the Depository may be made by contacting Frances E. Prell at Holland & Knight LLP, Chicago, Illinois; (312) 578-6553.

Firestone also has imaged the documents in the document depository and the imaged documents are available on a set of CD ROMs. A set of the current CD ROMs is available at a cost of approximately \$1550 per set.

Firestone also will make available, upon request and at the reasonable expense of the requesting party, CD ROMs incorporating images of the documents in the depository from which hard copies can be made. The documents are imaged on the CD ROMs as they are maintained and identified on the document depository index. The CD ROMs are not word searchable; however, they are searchable by document Bates number as defined by the existing index.

IT IS SO ORDERED.

Dated this 16th day of March, 2001.

V. Sue Shields
United States Magistrate Judge
Southern District of Indiana

Distribution to Liaison Counsel for all parties