

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re: BRIDGESTONE/FIRESTONE, INC.,) Master File No. IP 00-9373-C-B/S
TIRES PRODUCTS LIABILITY LITIGATION) MDL NO. 1373
_____)
THIS DOCUMENT RELATES TO ALL)
ACTIONS)

ENTRY FOR CONFERENCE REGARDING THIRD-PARTY DISCOVERY

The parties appeared, by counsel, this date for a telephonic conference, during which the following motions were discussed: Plaintiffs' Motion to Compel Production of Documents by Non-Parties Alliance of Automobile Manufacturers, Akron Rubber Development Laboratory, Inc., Axel Products, Inc., and Smithers Scientific Services, Inc.; Firestone's Motion to Limit the Scope of Rule 30(b)(6) Deposition of Non-Party Smithers Scientific Services, Inc.; and Plaintiffs' Motion to Resolve Scheduling Controversy. Each of these motions relates to the plaintiffs' attempts to obtain written discovery and deposition testimony from four non-parties who conducted testing of the Firestone tires at issue in this litigation. Inasmuch as the plaintiffs' subpoenas directed to these non-parties were issued out of the federal district courts for the Northern District of Ohio (Akron Rubber Development and Smithers), the Eastern District of Michigan (Axel) and the District of Columbia (Alliance), those courts, not this one, are the appropriate forums in which to resolve the issues. Accordingly, the magistrate judge **DENIES** each of the motions; and the plaintiffs may file them in the appropriate courts to the extent that the parties are unable to resolve the issues in them. To that end, however, the magistrate judge reports that the plaintiffs have received, or will receive before the scheduled depositions, from Ford and Firestone the documents regarding the testing conducted by Smithers, and the plaintiffs have agreed to forego pursuing documents directly from Smithers, absent some unforeseen development in the future. The parties therefore have agreed to proceed with the Smithers deposition as scheduled on March 18-19, 2002.

ENTERED this _____ day of March 2002.

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

Copies to:

Irwin B Levin
Cohen & Malad
136 North Delaware Street
P O Box 627
Indianapolis, IN 46204

William E Winingham
Wilson Kehoe & Winingham
2859 North Meridian Street
P.O. Box 1317
Indianapolis, IN 46206-1317

Randall Riggs
Locke Reynolds LLP
201 N. Illinois St., Suite 1000
P.O. Box 44961
Indianapolis, IN 46244-0961