

**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 APRIL 11, 2002**

The parties appeared, by counsel, this date for a telephonic status conference, during which the following was discussed:

1. In light of recent events, the magistrate judge emphasizes that no party or agent of any party in this litigation may have any ex parte contact with any other represented party in this litigation.
2. The parties have been working diligently to resolve the issue of scheduling depositions and to agree upon at reasonable discovery deadlines in the foreign accident cases. To that end, the parties intend to submit by Tuesday, April 16, 2002, an agreed list of cases which will remain in the “first wave” and those cases which will be moved into the “second wave.” To the extent that the parties are unable to reach full agreement, they will discuss the matter with the magistrate judge on April 16<sup>th</sup>.
3. Also by April 16<sup>th</sup>, the parties will submit for the magistrate judge’s approval their revised discovery schedule for both the first and second wave foreign accident cases.
4. The parties agree that further prioritization of discovery within the second wave foreign accident cases is warranted, but believe it would be premature to address

that issue at this time. Accordingly, they will revisit the issue in approximately 30 days.

5. The parties report that they are working to schedule expert depositions in the class action case.
6. The plaintiffs report that they have requested and are in the process of obtaining from Ford and Firestone the data upon which their statistics experts relied in formulating the opinions expressed in their reports, and that plaintiffs may need a brief extension of their deadline to submit their statistics expert's rebuttal report. The parties expect to agree upon the deadline for the rebuttal report; the defendants reserve the right to object to the content of the report as not being appropriate rebuttal.
7. The plaintiffs raise the issue of an overlap in the subjects addressed in the defendants' expert reports, and ask whether the defendants might be urged by the court to determine which of their experts will actually testify at trial regarding each subject, in order to streamline the expert deposition process. The court suggested that it was not inappropriate for the defendants to preserve some flexibility in their expert reports, even if that means some additional work for all parties at this stage in the litigation. This does not mean, of course, that cumulative or redundant expert testimony will be permitted at trial.
8. Ford requests and is granted an extension of its deadline to April 24, 2002, to respond to the plaintiffs' motion to compel certain discovery regarding its profits.
9. The next telephonic status conference will be held on **April 25, 2002, at 4:30**

**p.m.** The call will be arranged by Cynthia Moore, counsel for the plaintiffs, who shall inform liaison counsel and the magistrate judge of the arrangements.

ENTERED this \_\_\_\_\_ day of April 2002.

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

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