UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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

ENTRY ON MOTION TO AMEND CASE MANAGEMENT ORDER

This cause is before the magistrate judge on the plaintiffs' Motion to Amend Case Management Order, which was filed on March 14, 2002. The motion is fully briefed, and the magistrate judge, being duly advised, **DENIES** the plaintiffs' motion for the reasons set forth below.

In their motion, the plaintiffs seek to amend the provision in the Case Management Order ("CMO") that was entered in this MDL on January 30, 2001, which provides that the parties are not required to include on their privilege logs any documents that were produced or generated after August 9, 2000. That provision, which was agreed upon by the parties, is premised on the theory that as of August 9, 2000, all of the parties in this case anticipated litigation, and therefore documents created after that date regarding the issues in this litigation are quite likely to be protected by the work product privilege. The provision in no way excused the parties from producing relevant documents that are not privileged; it merely recognized that a vast number of relevant-but-privileged documents created after August 9, 2000, were likely to exist, so that any privilege log that included all of those documents likely would be unwieldy.

The plaintiffs now seek to amend the CMO to require the parties to include on their privilege logs all documents that have been withheld on privilege grounds, regardless of the date on which they were produced or generated. The magistrate judge determines that, at this time,

there is no indication that non-privileged documents from after August 9, 2002, have been withheld from production, and therefore there is no reason to require the parties to go to the time and expense of creating additional privilege logs. If, however, the plaintiffs at some point have reason to believe that specific documents or categories of documents have been improperly withheld, the magistrate judge will revisit this issue. Further, the magistrate judge reiterates to all parties that they are required to produce all responsive, non-privileged documents, regardless of the date on which they were produced or generated.

ENTERED this _____ day of April 2002.

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

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