

**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 25, 2002

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

1. The plaintiffs' request to depose an individual whom they classify as a fact witness and Firestone classifies as a non-testifying consulting expert was discussed, and it was determined that briefing of the issue was necessary. Accordingly, Firestone will file a motion for protective order raising the issue on April 29, 2002; the plaintiffs shall respond within five days; and Firestone shall respond within three days.
2. The motions for protective order relating to a deposition noticed for April 29, 2002, that have been filed by the defendants in the *Haffey-Bogy* case, IP 01-5411-C-B/S, were discussed. The magistrate judge confirmed that due to the pendency of those motions, the deposition will not proceed as scheduled. The motions should be briefed in due course, and the deposition will be rescheduled if the motions are denied.
3. The plaintiffs' request to depose several additional witnesses from Bridgestone Corporation was discussed, and it was determined that briefing of the issue was necessary. Accordingly, the plaintiffs will file a motion to compel by May 2,

2002; those defendants who wish to respond shall do so within five days; and the plaintiffs shall reply within three days. In ruling on the motion, the court will determine whether the plaintiffs have demonstrated good cause for permitting each of the requested depositions to proceed now that the applicable deadline has passed.

4. The plaintiffs' unopposed request for an extension to May 3, 2002, to serve the rebuttal expert report of Rich Oliver, due to problems with Mr. Oliver's schedule, was **granted**.
5. The issue of the parties' struggle to schedule the depositions of those experts who will testify in multiple cases was discussed at length. The parties report that the busy calendars of the experts has made it very difficult to arrive at a deposition schedule which will comport with the court's overall schedule for these cases. Judge Barker indicated that the flexibility in the court's schedule is limited, and therefore the parties should confer with their experts and make every effort to schedule the depositions for the earliest possible dates. By May 2, 2002, the parties shall confer and submit for the court's approval a proposed expert deposition schedule; the proposed schedule should include explanations for any depositions that could not be scheduled for dates in the reasonably near future.
6. The plaintiffs request for an expedited briefing schedule on their motion regarding whether the defendants were required to submit expert reports for certain of their own employees who will testify was **granted**; the defendants shall reply by May 3, 2002; and the plaintiffs shall reply within 3 days.

7. The next telephonic status conference will be held on **Thursday, May 9, 2002, at 4:00 p.m.** Amy McCabe, counsel for the plaintiffs, shall arrange the call and notify liaison counsel and the magistrate judge of the arrangements.

ENTERED this _____ day of April 2002.

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

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