

**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 JUNE 7, 2002

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

1. The parties report that they have conferred and agreed upon the following protocol relating to the “second wave” foreign accident cases: By **June 20, 2002**, plaintiffs’ counsel in each “second wave” foreign accident case¹ shall report to Bill Winingham, plaintiffs’ liaison counsel, whether they wish for the case to remain subject to the “second wave” case management deadlines or be treated as a “third wave” case. Defense counsel shall then prepare a chart that lists for each “second wave” foreign accident case all of the depositions they wish to take in the case. The parties shall then confer and arrive at a final list of “second wave” and “third wave” foreign accident cases.
2. The case management deadlines for the second wave foreign accident cases will be extended for at least 30 days. After the final list is compiled pursuant to ¶ 1 above, a new case management schedule will be entered for the foreign accident cases in the second and subsequent waves.

¹“Second Wave” foreign accident cases are those cases that were filed in this court during the third calendar quarter of 2001. Some “first wave” foreign accident cases also are being treated as “second wave” cases for case management purposes; the magistrate judge assumes that these cases will remain in the second wave.

3. The defendants report that they are in the process of filing numerous motions to compel in foreign accident cases. Those motions will be briefed in due course, and the magistrate judge will endeavor to rule on them promptly once they are fully briefed.
4. The plaintiffs raise two issues regarding the medical records that are being obtained by Firestone in Venezuela pursuant to medical authorizations executed by the Venezuelan plaintiffs in this action. First, the magistrate judge previously has ordered that Firestone notify the plaintiffs each time a request for medical records and accompanying authorization are served on a plaintiff's medical provider in Venezuela. Firestone has been providing weekly reports to the plaintiffs, but the plaintiffs report that those reports do not always contain all of the requests that were served during the preceding seven days. Firestone shall take care that its weekly reports are accurate and up-to-date. Firestone also shall insure that its Venezuelan agents are working as diligently as possible to serve all of the medical authorizations that it received from plaintiffs some time ago. Second, the plaintiffs report that there has been a significant delay between when Firestone's counsel in Venezuela obtains medical records from plaintiffs' health care providers and when those records are sent to plaintiffs' counsel. The delay seems to be caused both by a delay in shipping the records from Venezuela and the actual shipping time involved. The magistrate judge **ORDERS** that the medical records obtained by Firestone's agents in Venezuela pursuant to medical authorizations executed by the plaintiffs shall be sent from Venezuela to Firestone's Miami counsel **within 24 hours** of their receipt by Firestone's

Venezuelan counsel. Firestone's Miami counsel shall then Bates stamp the records and have them hand delivered to the applicable plaintiffs' counsel **within 24 hours** of their receipt by Firestone's Miami counsel.²

5. The next telephonic status conference will be held on **Monday, June 10, 2002, at 9:00 a.m.** The call will be arranged by Victor Diaz, counsel for the plaintiffs, who shall inform the magistrate judge and liaison counsel of the arrangements.

ENTERED this _____ day of June 2002.

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

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²If the plaintiffs in a particular case are represented by counsel outside of the Miami area, the records may be shipped by overnight mail rather than hand delivered.

