

**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
<hr style="width:50%; margin-left:0;"/>		
THIS DOCUMENT RELATES TO)	
)	
TOM RICE, et al.,)	
)	
Plaintiffs,)	Case No. IP 01-5539-C-B/S
)	
vs.)	
)	
FORD MOTOR COMPANY, et al.,)	
)	
Defendants.)	

ENTRY REGARDING MOTION FOR RECONSIDERATION

This cause is before the magistrate judge on the plaintiffs’ motion for reconsideration and the defendants’ responses thereto. The plaintiffs have not filed a reply in support of their motion, and the time for doing so has expired. The magistrate judge, being duly advised, **DENIES** the motion for reconsideration for the reasons set forth below.

In their motion to reconsider, the plaintiffs suggest that the magistrate judge was not aware of and/or did not consider their position when ruling on their motion to strike and the defendants’ motion to compel. This is incorrect. The magistrate judge was fully aware that the plaintiffs objected to any discovery being conducted in this case. Indeed, the magistrate judge noted in her Entry that “[w]hen the defendants began to pursue discovery in this matter, including filing the instant Motion to Compel Custodial Tire Inspection, the plaintiffs took the position that the case remains subject to the stay issued by the Mississippi district court.” The magistrate judge then determined that “[w]hile the plaintiffs’ position is not entirely unreasonable, it is also not correct. This court has consistently taken the position that it is in no one’s best interests to stay discovery while motions for remand are pending, inasmuch as discovery will have to be conducted no matter which court the case ultimately is tried in.”

The magistrate judge's Entry thereof made it clear that the plaintiffs' position was considered and rejected.

The plaintiffs' motion for reconsideration is without basis and is **DENIED**. To the extent they have not done so already, the plaintiffs shall respond fully and completely to all of Firestone's outstanding discovery requests, including interrogatories and document requests, shall make the subject vehicle and tires in this case available for inspection by Firestone as set forth in the previous Entry, and shall provide dates for the plaintiffs' depositions, and shall respond fully and completely to all of Ford's outstanding discovery requests **within 10 days of the date of this Entry**.

ENTERED this _____ day of July 2002.

Copies to:

Wayne E Ferrell Jr.
Attorney at Law
PO Box 24448
Jackson, MS 39225

Brenda B Bethany
Daniel Coker Horton & Bell
PO Box 1084
Jackson, MS 39215-1084

Walker W Jones III
Baker Donelson Bearman & Caldwell
P O Box 14167
Jackson, MS 39236

Kathleen P Morgan
Watkins & Eager
P O Box 650
Jackson, MS 39205-0650

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

Mark Merkle
Krieg Devault LLP
One Indiana Square Suite 2800
Indianapolis, IN 46204

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

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