

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 FOREIGN ACCIDENT CASES EXCEPT)
“FIRST WAVE” AND “EXPEDITED”)
FOREIGN ACCIDENT CASES)

ENTRY ESTABLISHING NEW CASE MANAGEMENT DEADLINES
IN FOREIGN ACCIDENT CASES

All previously determined case management deadlines in foreign accident cases in this MDL except those that have been designated as “Expedited,” “First Wave,” or “Second Wave”¹ cases are hereby **vacated**. This includes all deadlines set forth in January 29, 2003, Entry Extending Case Management Deadlines in Foreign Accident Cases, as well as any deadlines that have been established by specific order in a specific case. The new deadlines for all other foreign accident cases filed in this MDL (i.e., cases designated as “Third Wave,” “Fourth Wave,” “Fifth Wave,” “Sixth Wave,” and “Seventh Wave”) are as follow:

- A. The parties shall exchange lists identifying case-specific (i.e. “non-core”) expert witnesses and the topics on which they are expected to offer expert testimony on or before **April 29, 2003**. This deadline does not apply to foreign law experts, who are governed by specific deadlines set forth below.
- B. The plaintiffs shall serve their non-core expert witness reports by **May 30, 2003**.
- C. The defendants shall serve their non-core expert witness reports by **June 30**,

¹The cases designated as “Expedited,” “First Wave,” and “Second Wave” are identified by cause number in the September 9, 2002, Revised Comprehensive Case Management Schedule. All foreign accident cases not so designated are governed by the new deadlines set forth in this Entry. This new schedule also applies to any foreign accident case in which, subsequent to September 9, 2002, a specific order was entered changing its designation from a “Second Wave” case to a subsequent wave.

2003.

- D. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert, by **May 30, 2003.**
- E. The parties’ supplemental non-core expert witness reports shall be served by **June 30, 2003.**
- F. Case specific (i.e. non-core) discovery (with the exception of discovery related to expert witnesses) shall be completed by **July 15, 2003.**
- G. All expert witness discovery shall be completed by **July 30, 2003.**
- H. All dispositive motions and any *Daubert* motions relating to the “core” opinions of an expert witness shall be filed by **August 15, 2003.** Responses shall be filed within **30 days**; replies within **15 days**. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed. Also by **August 15, 2003**, the parties shall file a notice of intent to file after remand any case-specific *Daubert* motion they intend to file in a given case, in order to put transferor courts on notice of the intended filings.
- I. The parties shall exchange lists identifying foreign law experts and the topics on which they are expected to offer expert testimony on or before **May 15, 2003.** Also by this date, any party intending to raise an issue concerning the law of a

foreign country shall file a notice as required by Federal Rule of Civil Procedure 44.1.

- J. The parties shall serve their foreign law expert witness reports by **May 30, 2003**; responsive foreign law expert reports shall be filed by **June 30, 2003**.
- K. All discovery relating to foreign law experts shall be completed by **August 4, 2003**.

ENTERED this _____ day of April 2003.

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

Copies to:

Irwin B Levin
Cohen & Malad
136 North Delaware Street
P O Box 627
Indianapolis, IN 46204

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

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