IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY
TENNESSEE AT NASHVILLE

FILED
2003 FEB -4 PM 2:47
RICHARD R. ROOKER, CLERK
D.C.

In re:

BRIDGESTONE/FIRESTONE TIRE LITIGATION	)	Case No. 01 MD 3
	)	Judge Brothers
	)	
	)	ALL CASES

ORDER REGARDING FIRESTONE'S MOTION TO REQUIRE PLAINTIFFS TO PRODUCE NON-PARTY FACT WITNESSES IN TENNESSEE FOR DEPOSITION

Defendant Firestone has filed a motion asking the Court to require the Plaintiffs to bring the non-party fact witnesses in these cases to Tennessee for deposition. Oral argument was held on this matter on January 13, 2003. Based upon the arguments of counsel, and matters of record in this case, the Court ORDERS as follows:

1. As to non-party fact witnesses who are not family members of the Plaintiffs, Plaintiffs shall not be required to bring such witnesses to Tennessee for deposition.

2. With respect to such witnesses, however, Plaintiffs shall continue to cooperate with Defendants in making such witnesses available at central locations in Mexico for deposition. Plaintiffs shall bear the expense of transporting such witnesses to the central locations for their depositions.

3. Plaintiffs also shall arrange for and provide video conference hookups at all such depositions in Mexico, such that defense counsel may participate in the depositions and ask questions by video conference if they so choose. The video conference arrangements shall include the capability to display documents by split screen, and the availability of a fax machine at the deposition location so that counsel who participate remotely can fax documents to be

examined by the witness during the course of the deposition. Plaintiffs shall bear all expenses incurred in connection with these video conference arrangements, excepting only the long distance telephone charges incurred by counsel who dial into the video conference deposition. Such arrangements shall be made by Plaintiffs unless it is demonstrated to the Court through affidavits or other record evidence submitted by the Plaintiffs that they are technologically infeasible or would subject the Plaintiffs to an extreme financial burden. Any party's counsel may attend in person, by video conference, or both, as they so choose.

4. The parties shall select a single Spanish/English translator to be the official translator for the depositions. This translator shall be brought from the United States along with a videographer and a court reporter. The cost of these services shall be split one-third to the Plaintiffs, one-third to Ford Company and one-third to the tire Defendants (Bridgestone and Firestone).

5. The Court reserves ruling on the admissibility against the Defendants at trial of all such depositions taken in Mexico.

Entered this _____ day of _____, 2003.

Thomas W. Brothers, Circuit Judge

APPROVED FOR ENTRY:

NEAL & HARWELL, PLC

By: _____
James F. Sanders, No. 5267
A. Scott Ross, No. 15634

2000 One Nashville Place
150 Fourth Avenue, North
Nashville, TN 37219
(615) 244-1713
(615) 726-0573 – Facsimile

Counsel for Firestone

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served, via the method(s) indicated below, on the following counsel of record, this the 14 day of January, 2003:

( ) Hand (✓) Mail (✓) Fax ( ) Fed. Ex.	Steve North 1215 Gallatin Pike, South Madison, Tennessee 37115
( ) Hand (✓) Mail (✓) Fax ( ) Fed. Ex.	Richard L. Denney Lydia JoAnn Barrett Denney & Barrett 870 Copperfield Drive Norman, Oklahoma 73072
( ) Hand (✓) Mail (✓) Fax ( ) Fed. Ex.	Robert L. Langdon Langdon, Emison, Kuhlman & Evans, LLC 911 Main Street P.O. Box 220 Lexington, Missouri 64067
( ) Hand (✓) Mail ( ) Fax ( ) Fed. Ex.	Mary A. Parker Parker & Crofford 209 10th Avenue South Cummins Station, Suite 511 Nashville, TN 37203
( ) Hand (✓) Mail (✓) Fax ( ) Fed. Ex.	Stephen A. Marcum Standsbury, Petroff, Marcum & Blakely P. O. Box 240 Huntsville, Tennessee 37756
( ) Hand (✓) Mail ( ) Fax ( ) Fed. Ex.	Richard LaGarde, Esq. LaGarde Law Firm 24 Greenway Plaza, Suite 400 Houston, TX 77046
( ) Hand (✓) Mail (✓) Fax ( ) Fed. Ex.	Colin Smith Charles E. Joern Holland & Knight, LLP 55 West Monroe Street, Suite 800 Chicago, IL 60603-5001

( ) Hand (✓) Mail (✓) Fax ( ) Fed. Ex.	Steven A. Riley Salvador M. Hernandez Bowen, Riley, Warnock & Jacobson 1906 West End Ave Nashville, TN 37203
( ) Hand (✓) Mail ( ) Fax ( ) Fed. Ex.	John M. Merritt Merritt & Associates 917 North Robinson P.O. Box 1377 Oklahoma City, Oklahoma 73101
( ) Hand (✓) Mail ( ) Fax ( ) Fed. Ex.	Michael B. Jolly, Esq. 1018 Preston, 4th Floor Houston, TX 77002
( ) Hand (✓) Mail ( ) Fax ( ) Fed. Ex.	Daryl M. South, Esq. 300 East Vine Street Murfreesboro, TN 37130
( ) Hand (✓) Mail ( ) Fax ( ) Fed. Ex.	Jonathan Cole, Esq. Baker, Donelson, Bearman & Caldwell 211 Commerce Street, Suite 1000 Nashville, TN 37201