

REFERD, TERMED

U.S. District Court
Eastern District of Kentucky (Lexington)
CIVIL DOCKET FOR CASE #: 5:97-cv-00028-KSF

Haymaker v. Connecticut Valley, et al
Assigned to: Karl S. Forester
Referred to: Mag Judge James B. Todd
Demand: \$0
Case in other court: Scott Cir Ct, 96-CI-00465
Cause: 28:1441 Petition for Removal- Product Liability

Date Filed: 01/28/1997
Jury Demand: Both
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff**Matthew Haymaker**

represented by **Peter Perlman**
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V.

Defendant**Connecticut Valley Arms**

represented by **Charles E. Palmer, Jr.**
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Defendant

Wal-Mart Stores, Inc.
TERMINATED: 03/03/1999

represented by **Charles E. Palmer, Jr.**
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TERMINATED: 03/03/1999
LEAD ATTORNEY
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Lynn C. Stidham
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Defendant

Dikar, S. Coop LTDA

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Defendant

Gene Sears Supply Company
 TERMINATED: 02/25/1999

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 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/28/1997	1	NOTICE OF REMOVAL from Scott Circuit Court Case Number: 96-CI-00465 Fee Paid \$ 150.00, Receipt No. 064194; with copy of State Court Complaint; Answer filed in State Court (DC) (Entered: 02/04/1997)
01/28/1997	2	NOTICE by defendant Connecticut Valley, defendant Wal-Mart Stores Inc of Filing copies of Removal (DC) (Entered: 02/04/1997)
02/13/1997	3	ORDER FOR MEETING AND REPORT by Judge Karl S. Forester counsel to conduct meeting by 03/14/97; exchange R.26 disclosures; FILE written JOINT REPORT by 03/24/97; (cc: all counsel) (DC) (Entered: 02/13/1997)
02/13/1997	4	ANSWERS AND RESPONSES TO REQUEST for production of document by defendant Wal-Mart Stores Inc (DC) (Entered: 02/14/1997)
02/25/1997	5	ANSWERS TO INTERROGATORIES AND REQUEST for production of document by defendant Connecticut Valley (DC) (Entered: 02/26/1997)
03/19/1997	6	JOINT MOTION by defendant Connecticut Valley, defendant Wal-Mart Stores Inc to extend time to comply with FRCP 26(f) until such time as all parties are before the court and the additional parties have complied with FRCP(a)(1) (Entered: 03/19/1997)
03/20/1997	7	MOTION by plaintiff Matthew Haymaker to amend complaint (LGB)

		(Entered: 03/21/1997)
03/20/1997		PROPOSED Amended Complaint tendered by plaintiff Matthew Haymaker (LGB) (Entered: 03/21/1997)
03/26/1997	8	ORDER by Judge Karl S. Forester: joint motion of parties to extend time to comply with FRCP 26(f) until such time as all parties are before the court and the additional parties complied with FRCP(a)(1) [6-1] is GRANTED; counsel for parties w/in 10 days of compliance of add'l parties to be named file written joint report (cc: all counsel) (SKV) (Entered: 03/26/1997)
03/28/1997	11	CERTIFICATE OF NOTICE TO SUBROGATED PARTIES by plaintiff Matthew Haymaker (DC) (Entered: 03/31/1997)
03/31/1997	9	AGREED ORDER TO FILE AMENDED COMPLAINT by Judge Karl S. Forester It is hereby ORDERED that: (1) the pltf's amended complaint shall be filed and (2) the clerk shall issue appropriate process for the additional debts Dikar, S. Coop, LTDA and Gene Sears Supply Company; granting motion to amend complaint [7-1] (cc: all counsel) (DC) (Entered: 03/31/1997)
03/31/1997	10	AMENDED COMPLAINT by plaintiff Matthew Haymaker; adding Dikar, S. Coop LTDA, Gene Sears Supply Co; jury demand; NO SUMMONS ISSUED AS OF 3/31/97 (DC) (Entered: 03/31/1997)
03/31/1997		MAILED 4 summons for completion to pltf's counsel w/Court's Order of 3/31/97 allowing amended complaint to be filed (DC) (Entered: 03/31/1997)
04/10/1997		SUMMONS issued as to defendant Dikar, S. Coop LTDA, defendant Gene Sears Supply Co on Amended Complaint and given to atty for service (DC) (Entered: 04/10/1997)
05/23/1997	12	RETURN OF SERVICE executed upon defendant Gene Sears Supply Co on 5/23/97 through Secretary of State (DC) (Entered: 05/23/1997)
06/02/1997	13	RETURN OF SERVICE executed upon defendant Dikar, S. Coop LTDA on 6/2/97 through Secretary of State of complaint and summons (DC) (Entered: 06/02/1997)
06/04/1997	14	ANSWER by defendant Gene Sears Supply Co to AMENDED COMPLAINT [10-1], to COMPLAINT [1-1]; jury demand (DC) (Entered: 06/04/1997)
06/12/1997	15	NOTICE by plaintiff Matthew Haymaker of taking deposition of NEILL STEVENS on 7/1/97 at 10:00 a.m. (DC) (Entered: 06/12/1997)
06/20/1997	16	ANSWERS TO INTERROGATORIES AND RESPONSE TO REQUEST for production of documents by defendant Wal-Mart Stores Inc (DC) (Entered: 06/20/1997)
06/20/1997	17	ANSWERS TO SECOND INTERROGATORIES AND RESPONSE TO REQUEST for production of document by defendant Connecticut Valley

		(DC) (Entered: 06/20/1997)
06/20/1997	18	SUPPLEMENTAL ANSWER TO FIRST SET OF INTERROGATORIES AND RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS by defendant Connecticut Valley (DC) (Entered: 06/20/1997)
07/01/1997	19	ANSWERS TO INTERROGATORIES by plaintiff Matthew Haymaker (DC) (Entered: 07/01/1997)
07/30/1997	20	MOTION by defendant Dikar, S. Coop LTDA to dismiss the Amended Complaint (DC) (Entered: 07/31/1997)
07/30/1997	21	MEMORANDUM by defendant Dikar, S. Coop LTDA in support of motion to dismiss the Amended Complaint [20-1] (DC) (Entered: 07/31/1997)
07/31/1997	22	NOTICE by defendant Dikar, S. Coop LTDA of Filing of Original of Affidavit of Jon Muniategui in Support of Motion of Deft Dikar to dismiss the Amended Complaint (DC) (Entered: 07/31/1997)
08/05/1997	23	ORDER FOR MEETING AND REPORT by Judge Karl S. Forester counsel to conduct meeting by 9/5/97; exchange R.26 disclosures; FILE written JOINT REPORT by 9/15/97; (cc: all counsel) (DC) (Entered: 08/05/1997)
08/06/1997	24	DEPOSITION of NEILL G. STEVENS taken on the following date(s): 7/14/97 at 1:00 p.m. by: plfff (SEP. VOL.) (DC) (Entered: 08/06/1997)
08/15/1997	25	ANSWERS TO INTERROGATOREIS AND RESPONSE TO REQUEST for production of documents by defendant Gene Sears Supply Co (DC) (Entered: 08/15/1997)
08/15/1997	26	RESPONSE by plaintiff Matthew Haymaker to motion to dismiss the Amended Complaint [20-1] (DC) (Entered: 08/15/1997)
08/15/1997		----- V O L U M E 2 ----- ----- (DC) (Entered: 12/15/1997)
08/19/1997	27	ORDER by Judge Karl S. Forester The deft Dikar, S. Coop, LTDA, having moved to dismiss the complaint IT IS HEREBY ORDERED that the motion to dismiss is DENIED. It is further ORDERED that the plfff's motion for leave to conduct additional discovery is GRANTED. Following the completion of all discovery the deft Dikar may renew any dispositive motions concerning jurisdictional issues; denying motion to dismiss the Amended Complaint [20-1] (cc: all counsel) (DC) (Entered: 08/19/1997)
08/26/1997	28	MOTION by defendant Dikar, S. Coop LTDA for modification of Orders of 8/5/97 and 8/19/97 (DC) (Entered: 08/27/1997)
08/26/1997	29	MEMORANDUM by defendant Dikar, S. Coop LTDA in support of motion for modification of Orders of 8/5/97 and 8/19/97 [28-1] (DC) (Entered: 08/27/1997)

09/02/1997	30	ANSWER by defendant Dikar, S. Coop LTDA to Amended Complaint [10-1] (DC) (Entered: 09/02/1997)
09/02/1997	31	RULE 26 COMPLIANCE (DISCLOSURE) by defendant Connecticut Valley, defendant Wal-Mart Stores Inc (DC) (Entered: 09/02/1997)
09/08/1997	32	RULE 26 COMPLIANCE (DISCLOSURE) by defendant Connecticut Valley, defendant Wal-Mart Stores Inc (DC) (Entered: 09/08/1997)
09/11/1997	33	RESPONSE by plaintiff Matthew Haymaker to motion for modification of Orders of 8/5/97 and 8/19/97 [28-1] (DC) (Entered: 09/12/1997)
09/15/1997	34	PARTIES RULE 26(f) REPORT by plaintiff, defendant (DC) (Entered: 09/17/1997)
09/19/1997	35	REPLY by defendant Dikar, S. Coop LTDA to response to motion for modification of Orders of 8/5/97 and 8/19/97 [28-1] (DC) (Entered: 09/22/1997)
09/22/1997	36	ORDER FOR MEETING AND REPORT by Judge Karl S. Forester counsel to conduct meeting by 9/30/97; exchange R.26 disclosures; FILE written JOINT REPORT by 10/10/97; (cc: all counsel) (DC) (Entered: 09/22/1997)
10/08/1997	37	ORDER by Judge Karl S. Forester the court having read the parties briefs and remaining confident in its previous ruling and being otherwise fully and sufficiently advised HEREBY ORDES THAT DEFENDANT'S MOTION TO MODIFY SAID ORDERS [DE#28] IS DENIED. FURTHER THIS ISSUE SHALL NOT BE CERTIFIED FOR APPEAL. (cc: all counsel) (DC) (Entered: 10/08/1997)
10/10/1997	38	REPORT OF PARTIES PLANNED MEETING by plaintiff Matthew Haymaker, defendant Connecticut Valley, defendant Wal-Mart Stores Inc, Dikar, S. Coop LTDA, defendant Gene Sears Supply Co (DC) (Entered: 10/10/1997)
10/14/1997	39	SCHEDULING ORDER by Judge Karl S. Forester ; discovery ddl 4/1/98; motion filing ddl 4/1/98; dispositive motion ddl 7/20/98; pretrial filings due 7/20/98; pretrial conference set for 10:00 8/3/98; jury trial set for 9:00 9/8/98 Case referred to Mag Judge James B. Todd (cc: all counsel) (DC) (Entered: 10/14/1997)
10/17/1997	40	ANSWERS AND RESPONSE TO REQUEST for production of document by defendant Gene Sears Supply Co (DC) (Entered: 10/20/1997)
10/27/1997	41	NOTICE by plaintiff Matthew Haymaker of taking deposition of TOMMY RAY CARROLL on 11/17/97 at 10:00 a.m. (DC) (Entered: 10/28/1997)
10/29/1997	42	AMENDED NOTICE by plaintiff Matthew Haymaker of taking deposition of TOMMY RAY CARROLL on 11/17/97 at 10:00 a.m. (DC) (Entered: 10/30/1997)

11/03/1997	43	MOTION by defendant Gene Sears Supply Co to substitute attorney allowing Kim Wilkie to withdraw as counsel and for attys Charles E. Palmer and Lynn Stidham to be substituted as counsel (DC) (Entered: 11/03/1997)
11/04/1997	44	<p>ORDER by Judge Karl S. Forester On Friday, October 31, 1997 the Mag. Judge conducted a telephone conference with the parties concerning a discovery dispute and scheduling problems concerning discovery. It is hereby ORDRED that: (1) Concerning the "other similar incidents" issue: a. deft CVA is given to and including 11/5/97 in which to file its brief concerning the discovery of post-incident documents in the file of Neill G. Stevens which he did not produce at this deposition; b. pltff is given to and including 11/10/97 to file his response to CVA's brief and to present his own argument regarding the discoverability of the documents concerning "other similar incidents" in the file of Neill G. Stevens; c. deft CVA shall have 5 days thereafter in which to file its reply to pltff's brief; (2. Concerning pltff's complaint that he is unable to identify from the documents that have already been produced by defts CVA and Wal-Mart which documens were produced by CVA and which documents were produced by Wal-Mart: a. defts CVA and Wal-Mart are given to and including 11/7/97 in which to identify for the pltff which documents were produced by CVA and which documents were produced by Wal-Mart; b. pltff is given leave to file a brief regarding the confusion generated by the production of documents by CVA and Wal-Mart if necessary. CVA and Wal-Mart are given leave to file a response brief if necessary; 3. concerning the documnts that CVA has withheld from production on the grounds that they are either confidential or contain "trade secrets" information: a. counsel for CVA is given to and including 11/7/97 in which to provide to pltff's counsel "for his eyes only" the withheld documents; b. pltff counsel is given to 11/14/97 in which to review these documents and to return to counsel for CVA those documents that he considers irrelevant; c. as to the withheld documents that pltff's counsel considers relevant and discoverable, pltff's counsel is given to 11/14/97 in which to file a memorandum stating why the withheld documents that he has not returned to counsel for CVA are relevant and should not be produced. Pltff's memorandum when filed shall be marked "Under Seal and Confidential"; d. counsel for CVA is given to and including 11/21/97 in which to respond to pltff's memorandum. CVA's memorandum when filed shall be marked "Under Seal and Confidential"; e. pltff's counsel is given to and including 11/26/97 to file any reply brief he deems appropriate. Pltff's reply memorandum when filed shall be marked "Under Seal and Confidential"; 4. Concerning pltff's inspection and videotaping of CVA premises in Northcross, Georgia, prior to taking the depositions of 3 witnesses for CVA: a. any information, photograph, videotapes, etc resulting from the inspection of CVA's premises by pltff's counsel shall not be disseminated without prior court approval; b. if pltff and CVA are unable to agree on the terms of a Protective Order CVA desires to have in place prior to pltff's inspection and videotaping of its premises and prior to the depositions of its 3 witnesses, the parties are to contact the Mag. Judge on Wednesday, 11/5/97 at 9:00 a.m.;5. If CVA</p>

		has recovered any guns from any litigation concerning said guns, these guns are to be preserved during the pendency of the present action; 6. plttf's counsel is to provide Dikar with dates on which he is available to inspect Dikar's premises and to depose its 3 witnesses; Dikar's counsel is given to 11/7/97 in which to advise plttf's counsel of the earliest possible dates for plttf's inspection of its premises and the depositions of its 3 witnesses; 7. Dikar is given to and including 11/7/97 in which to respond to plttf's Request for Production of Documents that were originally due in October. This will be Dikar's last extension of time. (cc: all counsel) (DC) (Entered: 11/04/1997)
11/05/1997	45	ORDER by Mag Judge James B. Todd It is hereby ORDERED that: (1) the deadline for the disclosure of the identity of expert witnesses who may be used at trial and written reports by the expert witnesses as required by Rule 26(a)(2) is extended from 1/2/98 to and including 2/13/98. Within 30 days thereafter the parties shall disclose the identity of expert witnesses and written reports if the evidence is intended SOLELY to contradict or rebut other expert witnesses. (2) in the event the parties encounter problems meeting discovery deadlines as a result of proceeding with the depositions of Dikar's witnesses under the requirements of the Hague Convention the parties shall advise the court of such problems in writing by filing an appropriate motion rather than in a telephone conference call. (cc: all counsel) (DC) (Entered: 11/05/1997)
11/05/1997	46	OUTLINE OF ARGUMENT THAT FILES OF INSURANCE CLAIMS ADJUSTER ARE PRIVILEGED UNDER THE WORK PRODUCT DOCTRINE by defendant Connecticut Valley (DC) (Entered: 11/06/1997)
11/06/1997	47	NOTICE by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co of taking deposition of MATTHEW HAYMAKER on 11/24/97 at 1:00 p.m. (DC) (Entered: 11/06/1997)
11/07/1997	48	ANSWERS AND OBJECTIONS by defendant Dikar, S. Coop LTDA to Plaintiff's First Set of Interrogatories (DC) (Entered: 11/10/1997)
11/07/1997	49	RESPONSE AND OBJECTIONS TO PLAINTIFF'S FIRST REQUEST for production of document by defendant Dikar, S. Coop LTDA (DC) (Entered: 11/10/1997)
11/10/1997	50	REPLY TO CVA'S ARGUMENT CONCERNING NEILL STEVENS FILES by plaintiff Matthew Haymaker re [46-1] (DC) (Entered: 11/10/1997)
11/14/1997	51	UNDER SEAL AND CONFIDENTIAL MEMORANDUM RE: CVA'S CLAIM CONCERNING "PROPRIETARY" DOCUMENTS FILED by plaintiff Matthew Haymaker (DC) Modified on 11/17/1997 (Entered: 11/17/1997)
11/17/1997	52	REPLY by defendant Connecticut Valley to Plaintiff's Reply to CVA's Argument Concerning Neill Stevens Files re [50-1] (DC) (Entered: 11/20/1997)

11/21/1997	53	NOTICE by plaintiff Matthew Haymaker of taking deposition of ROBERT HICKEY; RANDALL JERNIGAN; DAVE MEREDITH on 12/17/97 at 9:00 a.m. (DC) (Entered: 11/24/1997)
11/21/1997	54	MOTION by plaintiff Matthew Haymaker to conduct depositions pursuant to the Federal Rules of Civil Procedure (DC) (Entered: 11/24/1997)
11/21/1997	55	MOTION by plaintiff Matthew Haymaker to compel Dikar to answer discovery requests , and for sanctions for its blatant violation of court orders (DC) (Entered: 11/24/1997)
11/21/1997	56	UNDER SEAL AND CONFIDENTIAL REPLY by defendant Connecticut Valley TO PLAINTIFF'S MEMORANDUM RE: CVA'S CLAIM CONCERNING "PROPRIETARY" DOCUMENTS re [51-1] (DC) (Entered: 11/24/1997)
11/26/1997	57	MOTION by defendant Connecticut Valley, defendant Dikar, S. Coop LTDA, defendant Gene Sears Supply Co to modify its order of 10/14/97 only to the extent of the trial date (DC) (Entered: 12/01/1997)
11/26/1997	58	REPLY by plaintiff Matthew Haymaker re CVA's Response re: CVA'S Claim Concerning "Proprietary" Documents [56-1] (DC) (Entered: 12/01/1997)
12/02/1997	59	RESPONSE by plaintiff Matthew Haymaker to motion to modify its order of 10/14/97 only to the extent of the trial date [57-1] (DC) (Entered: 12/02/1997)
12/08/1997	61	MEMORANDUM IN RESPONSE by defendant Dikar, S. Coop LTDA to motion to compel Dikar to answer discovery requests [55-1], to motion for sanctions for its blatant violation of court orders [55-2], to motion to conduct depositions pursuant to the Federal Rules of Civil Procedure [54-1] (DC) (Entered: 12/09/1997)
12/09/1997	60	NOTICE by plaintiff Matthew Haymaker of taking deposition of JON MUNIATEGUI; JULIAN ECHEBERRIA; AITOR DIAZ DeMENDIBIL; ANTONIO CABELLO; MARTXIEL GENOVA, TECHNIKER on 1/13/97 (DC) (Entered: 12/09/1997)
12/09/1997	62	NOTICE by plaintiff Matthew Haymaker of taking deposition of ROBERT HICKEY; RANDALL JERNIGAN; and DAVE MEREDITH on 12/17/97 at 9:00 a.m. (DC) (Entered: 12/09/1997)
12/10/1997	63	REPLY by plaintiff Matthew Haymaker to response to motion to compel Dikar to answer discovery requests [55-1], motion for sanctions for its blatant violation of court orders [55-2], motion to conduct depositions pursuant to the Federal Rules of Civil Procedure [54-1] (DC) (Entered: 12/10/1997)
12/10/1997	64	DEPOSITION of MATTHEW HAYMAKER taken on the following date (s): 11/24/97 at 1:00 p.m. by: defts (SEP. VOL.) (DC) (Entered: 12/10/1997)

12/12/1997	67	SECOND SUPPLEMENTAL ANSWERS TO FIRST SET OF INTERROGATORIES AND RESPONSES TO REQUEST for production of document by defendant Connecticut Valley (DC) (Entered: 12/15/1997)
12/15/1997	65	MEMORANDUM ORDER by Mag Judge James B. Todd It is hereby ORDERED: 1. CVA is not required to produce the plttf (1) the medical records of other injured parties, (2) photographs of firearms and victims, (3) the Freylon Bowman settlement brochure, and (4) documents from the claims of Tommy Carroll and Timothy Link, as these documents are protected by the work product doctrine; (2) CVA is directed to submit a corrected Document Log to correct the following errors and/or omissions in the Document Log submitted: a. page 4 - Document Number NS102 should be identified as Document Number NS102-104; b. page 12 - the fourth entry - Document Number NS0845-851 should be identified as Document Number NS0852-853; c. page 12 - Document Number NS0854 should be identified as Document Number NS0854-861; d. 12 - Document Number NS0881-895 should be identified as Document Number NS0881-905; e. page 16 - Document Number NS1078-1079 should be identified as Document Number NS1078-1083; f. 16 - Document Number 1086-1087 should be identified as Document Number NS1088-1091; g. page 27 - Document Number NS1401-1405 should be identified as Number NS1404-1405; h. page 30 - Document Number should be identified as Document Number NS1522-1524; i. 32 - Document Number NS1575-1581 should be identified as Document Number NS1576-1577; j. There is an entry missing on page 32; between Document Number NS1583-1585 and Number NS1589-1592 the following entry should be inserted: Document Number NS1586-1588; Reason for Withholding: Atty/Client; Description: fax letters from Wal-Mart; k. 35 - Document Number NS1724 be identified as Number NS1724-1725; 3. CVA is directed to submit documents identified as Document Numbers NS1818-1828 for in camera review. These documents, listed on page 38 of the Document Log, were omitted from the documents produced for in camera review. (cc: all counsel) (DC) Modified on 02/20/1998 (Entered: 12/15/1997)
12/15/1997	66	MEMORANDUM ORDER by Mag Judge James B. Todd IT IS HEREBY ORDERED that the production of CVA's "proprietary" documents to plaintiff's counsel "for his eyes only" is limited to plttf's counsel in this action, and these "proprietary" documents and the information contained therein are limited to plaintiff's counsel only, pending further orders of the court. (cc: all counsel) (DC) (Entered: 12/15/1997)
12/15/1997	68	ORDER by Judge Karl S. Forester granting motion to substitute attorney allowing Kim Wilkie to withdraw as counsel and for attys Charles E. Palmer and Lynn Stidham to be substituted as counsel [43-1] attorney Kim M. Wilkie for Gene Sears Supply Co and substituting attorney Charles E. Palmer Jr., Lynn C. Stidham (cc: all counsel) (DC) (Entered: 12/15/1997)

12/17/1997	69	ORDER by Judge Karl S. Forester The court being otherwise fully and sufficiently advised hereby ORDERS THAT: (1) granting motion to conduct depositions pursuant to the Federal Rules of Civil Procedure [54-1]; (2) deponents' responses in said depositions SHALL NOT be limited to questions concerning only jurisdictional issues; (3) granting motion to compel Dikar to answer discovery requests [55-1] which are not related to jurisdictional issues to the extent that deft's only objection to such requests are that they exceed the scope of jurisdictional issues; and (4) the motion of the plttf for sanctions for deft's failure to answer plttf's discovery requests in violation of this court's oders is PASSED UNTIL THE COMPLETION OF TRIAL. (cc: all counsel) (DC) (Entered: 12/17/1997)
12/18/1997	70	MOTION by plaintiff Matthew Haymaker for a hearing on discovery disputes (DC) (Entered: 12/18/1997)
12/18/1997	71	STIPULATED PROTECTIVE ORDER by Judge Karl S. Forester : It is hereby ORDERED that no party hereto, nor counsel for any party, nor anyone who is in any way connected to any party's representation in this case, shall reveal, discuss, divulge or otherwise communicate what is seen or heard during the 12/16/97, 3:00 p.m. discovery tour of connecticut Valley arms business location in Norcross, Georgia, with any person or entity outside this singular cause of action, nor shall any fo the individuals set forth above share the contents of any photographs or video or audio tapes made at the business location of Connecticut Valley Arms with any person or entity outside this singular cause of action without prior court approval.(cc: all counsel) (DC (Entered: 12/18/1997)
12/18/1997	72	ORDER by Mag Judge James B. Todd IT IS HEREBY ORDERED taht this matter is scheduled for a hearing on all discovery disputes on Tuesday, December 23, 1997 at 9:00 a.m. in Courtroom C, U.S. Courthouse, Lexington, KY; a court reporter is required to be present; setting hearing on motion for a hearing on discovery disputes [70-1] 9:00 12/23/97 (cc: all counsel) (DC) (Entered: 12/18/1997)
12/19/1997	73	REPLY by defendants Connecticut Valley, Wal-Mart Stores Inc, and Gene Sears Supply Co to plaintiff's response to motion to modify its order of 10/14/97 only to the extent the trial date [57-1] (SKV) (Entered: 12/22/1997)
12/22/1997	74	AMENDED NOTICE by plaintiff Matthew Haymaker of taking depositions of Jon Muniategui, Julian Echeberria, Aitor Diaz DeMendibil, Antonio Cabello, Martxiel Genova Techniker on 1/13/98 (SKV) (Entered: 12/23/1997)
12/23/1997	75	GENERAL MINUTES: before Mag Judge Todd Date(s) 12/23/97 Court Reporter Elizabeth Mann; defendant S. Coop Dikar, LTDA advised appeal would be filed on Judge Forester's order for deposition in Spain & Mag Judge Todd advised no reasons to continue w/ hearing until outcome of appeal & he would advise Judge Forester of intent of dft to file appeal (cc: all counsel) (SKV) (Entered: 12/23/1997)

12/31/1997	76	ORDER by Mag Judge James B. Todd It is hereby ORDERED that: (1) CVA's amended Document Log be substituted for its original Document Log; (2) CVA is given ten (10) days from the date of this order in which to submit documents identified as Document Numbers NS1818-1828 for in camera review. These documents, listed on Page 38 of the original Document Log were omitted from the documents produced for in camera review. (cc: all counsel) (DC) (Entered: 12/31/1997)
12/31/1997	78	TRANSCRIPT filed of HEARING before Mag. Judge James B. Todd Date(s) of transcript 12/23/97 at 9:00 a.m.; Patty Tipton Court Reporter (DC) (Entered: 01/07/1998)
01/06/1998	77	ORDER by Mag Judge James B. Todd In responde to the Order of December 31, 1997 deft Connecticut Valley arms has provided the Mag. Judge with Document Numbers NS1818-1828 for in camera review, which the Mag. Judge has reviewed. Accordingly, IT IS HEREBY ORDERED that: (1) Document Numbers NS1818-1828 SHALL BE FILED with the other documents CVA previously submitted to the Mag. Judge for in camera review; (2) Document Numbers NS1818-1828 are not subject to discovery by reason of the work product doctrine. (cc: all counsel) (DC) (Entered: 01/06/1998)
01/14/1998	79	RESPONSE TO REQUEST for production of documents by defendant Wal-Mart Stores Inc (DC) (Entered: 01/14/1998)
01/21/1998	80	OBJECTIONS by defendant Dikar, S. Coop LTDA to Supplemental Request for Admissions and Interrogatories to All Defendants (DC) (Entered: 01/22/1998)
01/22/1998	81	NOTICE by plaintiff Matthew Haymaker of taking deposition of ROY SWITZER on 2/2/98 at 1:00 p.m. (DC) (Entered: 01/22/1998)
01/26/1998	82	NOTICE by plaintiff Matthew Haymaker of taking deposition of KEVIN SULLIVAN on 2/2/98 (DC) (Entered: 01/26/1998)
01/26/1998	83	NOTICE by plaintiff Matthew Haymaker of taking deposition of GENO SEARS on 2/9/98 (DC) (Entered: 01/26/1998)
01/26/1998	84	AGREED ORDER by Judge Karl S. Forester Pltff is permitted to share the following materials with his experts and consultants in this case: (1) all discovery documents produced by deft Connecticut Vallyeny Arms and (2) depositions of CVA witnesses. All experts and consultants would be bound by previous court orders concerning the dissemination of said materials outside this lawsuit. (cc: all counsel) (DC) (Entered: 01/26/1998)
01/27/1998	85	MOTION by plaintiff Matthew Haymaker to extend plaintiffs expert witness identification deadline (DC) (Entered: 01/27/1998)
01/27/1998	86	AMENDED NOTICE by plaintiff Matthew Haymaker of taking deposition of KEVIN SULLIVAN on 2/2/98 at 10:00 a.m. (DC) (Entered: 01/27/1998)
01/29/1998	87	NOTICE by plaintiff Matthew Haymaker of taking deposition of KEN

		GILCHREST on 2/18/98 at 11:00 a.m. (DC) (Entered: 01/29/1998)
02/02/1998	88	AMENDED NOTICE by plaintiff Matthew Haymaker of taking deposition of KEN GILCHREST on 2/19/98 at 10:00 a.m. (DC) (Entered: 02/03/1998)
02/02/1998	89	NOTICE by plaintiff Matthew Haymaker of taking deposition of STEPHEN DEATON on 2/6/98 at 1:00 p.m. (DC) (Entered: 02/03/1998)
02/09/1998	90	AGREED ORDER by Judge Karl S. Forester It is hereby ORDERED that the present deadline of February 13, 1998 fo identification of expert witnesses for all parties, and the related deadline for disclosure of the identity of expert witnesses and written reports intended solely to contradict or rebut other expert witnesses within (3) days thereafter should be set aside; and IT IS HEREBY FURTHER ORDERED that other deadlines will be established by the Court after appellate proceedings with respect to the issues raised in the Petition for Writ of Mandamus are concluded. (cc: all counsel) (DC) (Entered: 02/09/1998)
02/09/1998		----- V O L U M E 3 ----- ----- (DC) (Entered: 07/15/1998)
02/12/1998	91	AMENDED NOTICE by plaintiff Matthew Haymaker of taking deposition of STEPHEN DEATON on 2/24/98 at 1:30 p.m. (DC) (Entered: 02/17/1998)
02/13/1998	92	DEPOSITION of DAVID MEREDITH taken on the following date(s): 12/17/97 at 8:56 a.m. by: plttf (SEP. VOL.) (DC) (Entered: 02/17/1998)
03/05/1998	93	DEPOSITION of STEPHEN DEATON taken on the following date(s): 2/24/98 at 1:30 p.m. by: plttf (SEP. VOL.) (DC) (Entered: 03/06/1998)
03/13/1998	94	AGREED ORDER AS TO DISCOVERY DEADLINGES by Judge Karl S. Forester IT IS HEREBY ORDERED that the present deadlien of 4/1/98 for completion of discovery and for motions to amend pleadings should be set aside and that other deadlines will be established by the court after appellate proceedings with respect to the issues raised in Dikar's Petition for Rehearing and Petition for Writ of Mandamus are concluded. (cc: all counsel) (DC) (Entered: 03/13/1998)
03/17/1998	95	RULE 26(a) DISCLOSURE by defendant Gene Sears Supply Co (DC) (Entered: 03/18/1998)
03/19/1998	96	AMENDED RESPONSE TO REQUEST for production of admissions by defendant Gene Sears Supply Co (DC) (Entered: 03/19/1998)
03/25/1998	97	SUPPLEMENTAL RULE 26 COMPLIANCE by defendant Connecticut Valley (DC) (Entered: 03/26/1998)
04/01/1998	98	ORDER by Judge Karl S. Forester Upon the motion of the defts to reschedule the trial date in the above-styled action and the court being otherwise fully and sufficiently advised IT IS HEREBY ORDERED THAT defts motion [DE#57] is DENIED. The pretrial conference scheduled for 8/3/98 as well as the trial scheduled to begin 9/8/98

		SHALL STAND. This case was removed to this court over 14 months ago. The court will not allow its docket to be cluttered in the name of appellate proceedings. The parties have had and still have plenty of time to prepare for trial; the court intends to hold the parties to the original trial date.(cc: all counsel) (DC) (Entered: 04/01/1998)
04/08/1998	99	NOTICE by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co of taking deposition of JOHN TURNER on 4/29/98 at 9:30 a.m. (DC) (Entered: 04/09/1998)
04/16/1998	100	NOTICE by defendant Connecticut Valley of taking deposition of MATT PRESSON on 4/29/98 at 4:00 p.m. (DC) (Entered: 04/16/1998)
04/23/1998	101	NOTICE by defendant Connecticut Valley, defendant Wal-Mart Stores Inc of taking deposition of WILLIAM CHEEK on 4/30/98 AT 9:00 A.M. (DC) (Entered: 04/23/1998)
04/28/1998	102	NOTICE by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co of Filing Subpoenas upon the following to appear for depositions on 4/29/98: John Turner; Rodger Persley; William Cheek; Melvin Cheek (DC) (Entered: 04/28/1998)
05/15/1998	103	DEPOSITION of JONATHAN TURNER taken on the following date(s): 4/29/98 at 9:30 a.m. by: defts (SEP. VOL.) (DC) (Entered: 05/15/1998)
05/15/1998	104	DEPOSITION of ROGER PERSLEY taken on the following date(s): 4/29/98 at 11:00 a.m. by: defts (SEP. VOL.) (DC) (Entered: 05/15/1998)
05/18/1998	105	DEPOSITION of WILLIAM CHEAK taken on the following date(s): 4/30/98 at 9:30 a.m. by: defts (SEP. VOL.) (DC) (Entered: 05/18/1998)
06/15/1998	106	SUPPLEMENTAL ANSWERS by defendant Connecticut Valley re to plttfs' Second Interrogatories and Responses to Request for Production of Documents; disclaimer [97-1] (DC) (Entered: 06/16/1998)
06/19/1998	107	NOTICE by plaintiff Matthew Haymaker of taking deposition of DR. DAVID E. COWAN on 7/20/98 at 4:00 p.m. (DC) (Entered: 06/23/1998)
07/06/1998	108	MOTION by plaintiff Matthew Haymaker for status conference (DC) (Entered: 07/08/1998)
07/10/1998	109	MOTION by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co for joinder in motion for status conference (DC) (Entered: 07/10/1998)
07/14/1998	110	ORDER by Judge Karl S. Forester IT IS HEREBY ORDERED that this action is REFERRED to the Hon. James B. Todd, U.S. Mag. Judge for the EDKY for resolution of the motion for status conference and for joinder [DE#108 and 109]; Case referred to Mag Judge James B. Todd (cc: all counsel) (DC) (Entered: 07/14/1998)
07/15/1998	111	ORDER by Mag Judge James B. Todd This matter is before teh court on plaintiff's motion for status conference [DE#108] and deft's motion to join in motion for status conference. Ater reviewing the record IT IS

		THEREFORE ORDERED as follows: (1) that the plttf's motion for status conference [DE#108] and defts motion [DE#109] are both GRANTED; (2) that this matter is ASSIGNED for STATUS CONFERENCE on Tuesday, July 28, 1998 at the hour of 9:00 a.m.,U.S. Courthouse, Courtroom C, 101 Barr Street, Lexington, KY; (3) court reporter shall be present. (cc: all counsel) (DC) (Entered: 07/15/1998)
07/16/1998	112	NOTICE by plaintiff Matthew Haymaker of taking deposition of DR. DAVID E. COWEN on 7/20/98 at 3:00 p.m. (DC) (Entered: 07/16/1998)
07/17/1998	113	ORDER by Mag Judge James B. Todd This matter was previously assigned for a status conference before the undersigned on 7/28/98. At the request of the parties, IT IS THEREFORE ORDERED as follows: (1) that this matter is REASSIGNED for STATUS CONFERENCE on Friday, July 24, 1998 at 9:00 a.m., U.S. Courthouse, Courtroom C, Lexington, KY; (2) a court reporter is required to be present; status hearing set for 9:00 7/24/98 (cc: all counsel) (DC) (Entered: 07/17/1998)
07/20/1998	114	PRETRIAL MEMORANDUM by defendant Dikar, S. Coop LTDA (DC) (Entered: 07/20/1998)
07/20/1998	115	PRETRIAL MEMORANDUM by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co (DC) (Entered: 07/21/1998)
07/20/1998	116	EXHIBIT list by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co (DC) (Entered: 07/21/1998)
07/20/1998	117	WITNESS list submitted by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co (DC) (Entered: 07/21/1998)
07/20/1998	118	PRETRIAL MEMORANDUM by plaintiff Matthew Haymaker (DC) (Entered: 07/21/1998)
07/24/1998	119	GENERAL MINUTES: STATUS CONFERENCE HEARING before Mag. Judge James B. Todd Date(s) 07/24/98 Court Reporter Peggy Weber; Lisa Moore, Courtroom Deputy; this matter called for a hearing on motion of pltf for status hearing. After hearing statements of counsel the court advised the parties that this motion will ned to be heard by Judge Forester. Judge Todd to advise Judge Forester what issues were discussed and raised in this hearing, and to expect the parties to bring the matters up at the pretrial conference scheduled in this case. (cc: all counsel) (DC) (Entered: 07/24/1998)
07/27/1998	120	EXHIBIT list by plaintiff Matthew Haymaker (LGS) (Entered: 07/27/1998)
07/27/1998	121	OBJECTIONS by plaintiff Matthew Haymaker to Exhibits of Dikar (DC) (Entered: 07/28/1998)
07/27/1998	122	STATEMENT of defendant Dikar, S. Coop LTDA with Respect to Plaintiff's Exhibits (DC) (Entered: 07/28/1998)

07/28/1998	123	TRANSCRIPT filed of STATUS HEARING before Mag. Judge James B. Todd Date(s) of transcript 7/24/98 at 9:00 a.m.; Peggy Weber, Court Reporter; Lisa Moore, Courtroom Deputy (DC) (Entered: 07/28/1998)
07/28/1998	124	OBJECTIONS by defendant Connecticut Valley, defendant Wal-Mart Stores Inc, defendant Gene Sears Supply Co to Plaintiff's Exhibits (DC) (Entered: 07/28/1998)
07/30/1998	125	RESPONSE by defendant Dikar, S. Coop LTDA To Plaintiff's Objections to Exhibits of Dikar (DC) (Entered: 07/31/1998)
08/03/1998	126	PROPOSED JURY INSTRUCTIONS submitted by defendant Connecticut Valley, defendant Wal-Mart Stores Inc (DC) (Entered: 08/03/1998)
08/03/1998	127	PROPOSED JURY INSTRUCTIONS submitted by plaintiff Matthew Haymaker (DC) (Entered: 08/03/1998)
08/04/1998	128	ORDER by Judge Karl S. Forester On Monday, August 3, 1998, at Lexington action was called for a PTC. Cindy Hutchinson, Court Reporter; Mary Finocchiaro, Courtroom Deputy. IT IS NOW THEREFORE ORDERED HEREIN AS FOLLOWS: (1) that the jury trial of this matter scheduled for Tuesday, September 5, 1998 be and it is hereby SET ASIDE AND CANCELLED and is CONTINUED TO TUESDAY, March 8, 1999 at 9:00 a.m.; (2) that the deft Connecticut Valley Arms is DIRECTED to make available to the plaintiff's expert any and all firearms which it has in its possession or control where there have been problems which are substantially similar to the problem with the firearm in this case; (3) deft Dikar, S. Coop LTDA, shall provide counsel for the plaintiff with a statement of insurance coverage held by said deft regarding existence or non-existence or insurance coverage; (4) that the deft Dikar, S. Coop LTDA, shall produce Dikar employees for depositions to be held in Spain and shall make facilities of said deft available to inspection by plttf; (5) 12/31/98 counsel shall DISCLOSE the identity of expert witnesses who may be used at trial and written reports by the expert witnesses as required by Rule 26(a)(2) and shall DISCLOSE by January 31, 1999, the identity of expert witnesses and written reports if the evidence is intended SOLELY to contradict or rebut other expert witnesses; (6) 11/30/98 counsel for the parties shall COMPLETE all pretrial discovery and shall FILE all motions to amend pleadings; (7) 2/15/99 shall FILE all dispositive motions; (8) 2/15/99 file pretrial filings; (9) 2/15/99 pre-mark all exhibits with NUMBERS IN THE ORDER TO BE INTRODUCED AT TRIAL and shll PROVIDE copies of such exhibits to opposing counsel; (10) 2/15/99 counsel shall CONDUCT a conference in person or by telephone to formulate AGREED proposed jury instructions on the substantive law of the case; (11) 2/15/99 parties shall conduct a good faith settlement conference; and if this action is settled by the parties, counsel shall promptly notify the court; (12) 2/15/99 counsel shall FILE with the clerk, shall SUBMIT a copy to the court and shall PROVIDE a copy to opposing counsel of any objections, and responses to same, to the use of depositions or to the admissibility of exhibits and objections not disclosed; (13) action

		ASSIGNED for PTC on Monday, 2/22/99 at 9:00 a.m.; (14) at time of PTC submit a copy to the court of the Agreed Proposed Jury Instructions on the substantive law of the case (cc: all counsel) (DC) (Entered: 08/04/1998)
08/06/1998	129	TRANSCRIPT filed of PRETRIAL CONFERENCE before Hon. Karl Forester; Cindy Hutchinson, Court Reporter; Mary Finocchairo, Courtroom Deputy; Date(s) of transcript 8/3/98 at 10:00 a.m. (DC) (Entered: 08/06/1998)
08/12/1998	130	DEPOSITION of DAVID E. COWEN, M.D. taken on the following date (s): 7/20/98 at 3:40 p.m. by: plttf (SEP. VOL.) (DC) (Entered: 08/12/1998)
09/02/1998	131	MOTION by plaintiff Matthew Haymaker for sanctions , and for an expedited hearing (DC) (Entered: 09/02/1998)
09/03/1998	132	ORDER by Judge Karl S. Forester IT IS HEREBY ORDERED that a hearing on Plaintiff's Motion for Sanctions will be held on Tuesday, September 8, 1998 at 10:30 a.m. in Courtroom A. of the U.S. Courthouse, Lexington, KY. (cc: all counsel) (DC) (Entered: 09/03/1998)
09/04/1998	133	AFFIDAVIT of THOMAS FRYMAN, JR. IN OPPOSITION TO MOTION FOR SANCTIONS re [131-1] (DC) (Entered: 09/04/1998)
09/04/1998	133	AFFIDAVIT IN OPPOSITION by defendant Dikar, S. Coop LTDA to motion for sanctions [131-1] (DC) (Entered: 09/04/1998)
09/09/1998	134	ORDER by Judge Karl S. Forester IT IS NOW THEREFORE ORDERED HEREIN that counsel are directed to attempt to reach an agreement regarding entry of a Protective Order herein. Should counsel be unable to reach an agreement, this matter will be continued for further hearing on Wednesday, September 9, 1998. (cc: all counsel) (DC) (Entered: 09/09/1998)
09/14/1998	135	PROTECTIVE ORDER by Judge Karl S. Forester: IT IS ORDERED that the following protective provisions are imposed upon any discovery conducted by parties, whether such disc. is directed at a pty, any officer, director, or employee of a pty, or any other person or entity: 1) any party or non-pty may designate as confidential any doc.s provided or produced, that he or she believes contain the following info.: proprietary or confidential trade secrets ... This Order, however, shall not apply to info., doc.s, or material obtained by counsel and witnesses signing the protective order w/ acknowledgement to paragraph 7 through channels or means other than through discovery 2) doc.s or portions thereof may designated confidential by affixing to such a legend, such as "Confidential" 3) designation of any doc. as confidential pursuant to terms of this order shall constitute verification of counsel of record for producing pty that at least one has reviewed the doc. for compliance w/ this order and designation is in good faith jgm 4) Confidential material may be used in this action and in any other product liability action involving claims similar to those brought by pltf and naming Dikar, S. Coop. LTDA 5) until obj. has been resolved by ptys or ct doc. shall be

		<p>treated as confidential 6) Confidential material may only be disclosed to following persons (see order) 7) counsel for pty that receives confidential material shall 1st provide such employee, or rep. w/ a copy of this order and shall 2nd shall cause him or her to execute an acknowledgment of this order 8) if wit. in depo. is shown conf. mat. the wit. shall be admonished that mat. are conf. and may not be further disclosed to any 3rd person 9) any pty may use services of a public photocopying service, printing or binding service, provided such services are advised of conf. nature of the doc.s and asked to maintain their confidentiality 10) is depo. concerning conf. material is requested or elicited, counsel for designating pty may request and move the ct for and order that the testimony be treated as conf. 11) all conf. mat. filed w/ ct shall be filed under seal and kept under seal until further order of the ct 12) any conf. mat. may introduced at trial and may be offered into evidence unless producing pty obtains prot. order from this ct 13) w/in 60 days of conclusion of this case conf. mat. at the req. of pty which produced it, be returned to counsel of producing pty 14) if non-designating pty receives a subpoena seeking prod. of conf. mat. it shall immediately give ntc to counsel of designating parties stating it is conf. mat. sought and the time prod. or other disclosure is required 15) nothing contained in this order shall prejudice the right of producing pty to assert any privilege to doc.s 16) nothing in this order shall prejudice the right of any pty to seek, by way of consent of all parties or by application of ct (see order) 17) aal doc.s designated as conf. shall be preserved for at least 5 yrs after conclusion of this action in the offices in Lexington, Ky of counsel for respective producing pty (cc: all counsel) (CBD) (Entered: 09/15/1998)</p>
09/14/1998	136	SUPPLEMENTAL RESPONSES AND AMENDED OBJECTIONS TO PLAINTIFF'S FIRST SET OF REQUESTS for production of documents and supplemental request for production of documents by defendant Dikar, S. Coop LTDA (CBD) (Entered: 09/15/1998)
09/16/1998	137	TRANSCRIPT filed of Hearing on Motion for Sanctions before Hon. Karl Forester Date(s) of transcript 9/8/98 at 10:30 a.m.; Cindy Hutchinson, Court Reporter (DC) (Entered: 09/16/1998)
09/23/1998 10-13 was a Tue	138	NOTICE by plaintiff Matthew Haymaker of taking deposition of AITOR DIAZ DEMENDIBIL on 10/13/98 at 12:00 p.m.; Julian Echeberria and Jon Muniategui on 10/14/98 at 9:30 a.m.; Antonio Cabello, Roberto teruel and Martxiel Genova on 10/15/98 at 9:30 a.m. (DC) (Entered: 09/23/1998)
09/23/1998	139	SUPPLEMENTAL ANSWERS AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES by defendant Dikar, S. Coop LTDA to (DC) (Entered: 09/23/1998)
09/28/1998	140	ORDER by Judge Karl S. Forester denying motion to compel Dikar to answer discovery requests [55-1] denying motion for sanctions [131-1] without prejudice to plff's right to resubmit this matter after the completion of trial. (cc: all counsel) (LGS) (Entered: 09/28/1998)
10/21/1998	141	SUPPLEMENTAL RULE 26 COMPLIANCE by defendant Connecticut

		Valley, defendant Wal-Mart Stores Inc (DC) (Entered: 10/21/1998)
10/30/1998	142	NOTICE by plaintiff Matthew Haymaker of taking deposition of JAMES MAY on 11/13/98 at 11:00 a.m. (DC) (Entered: 10/30/1998)
11/06/1998	143	ADDITION TO SUPPLEMENTAL RESPONSE AND AMENDED OBJECTIONS by defendant Dikar, S. Coop LTDA to Pltff's Requests for Production of Documents (DC) (Entered: 11/09/1998)
11/18/1998	144	MOTION by plaintiff Matthew Haymaker for leave to file Second Amended Complaint (DC) (Entered: 11/18/1998)
11/18/1998		PROPOSED Second Amended Complaint tendered by plaintiff Matthew Haymaker (DC) (Entered: 11/18/1998)
12/14/1998	145	ORDER by Judge Karl S. Forester granting motion for leave to file Second Amended Complaint [144-1]. The Clerk of the Court shall FILE plaintiff's amended complaint in the record. (cc: all counsel) (DC) (Entered: 12/14/1998)
12/14/1998	146	SECOND AMENDED COMPLAINT [10-1] by plaintiff Matthew Haymaker; jury demand (DC) (Entered: 12/14/1998)
12/22/1998	147	SECOND ADDITION TO SUPPLEMENTAL RESPONSES & AMENDED OBJECTIONS by defendant Dikar, S. Coop LTDA to plaintiff's requests for production of documents (SKV) (Entered: 12/22/1998)
12/29/1998	148	ANSWER by defendant Dikar, S. Coop LTDA to SECOND AMENDED COMPLAINT [146-1] (SKV) (Entered: 12/29/1998)
12/29/1998		----- V O L U M E 4 ----- ----- (DC) (Entered: 01/05/1999)
12/30/1998	149	EXPERT WITNESS RULE 26(2) DISCLOSURE by defendants Connecticut Valley, Wal-Mart Stores Inc, and Gene Sears Supply Co (SKV) (Entered: 12/30/1998)
12/30/1998	150	SEALED DEPOSITION of Martxiel Genova, Roberto Teruel, Antonio Cabello Oliva, Aitor Diaz de Mendibil, Julian Echeberria and Jon Muniategui taken on the following date(s): 10/13, 14 & 15 (SEP. VOL.) (SKV) (Entered: 12/30/1998)
12/30/1998	151	ANSWER by defendants Connecticut Valley, Gene Sears Supply Co, Wal-Mart Stores Inc to SECOND AMENDED COMPLAINT [146-1] (SKV) (Entered: 12/31/1998)
12/31/1998	152	EXPERT WITNESS COMPLIANCE by plaintiff Matthew Haymaker (SKV) (Entered: 12/31/1998)
12/31/1998	153	DISCLOSURE by defendant Dikar, S. Coop LTDA of expert testimony (SKV) (Entered: 12/31/1998)
01/06/1999	154	NOTICE by plaintiff Matthew Haymaker of taking deposition of DR. HENRY C. VASCONEZ on 2/10/99 at 3:00 p.m. (DC) (Entered: 01/06/1999)

		01/06/1999)
01/06/1999	155	AFFIDAVIT of ROBERT HICKEY re Court's Order of 8/4/98 [128-1] (DC) (Entered: 01/06/1999)
01/07/1999	156	MOTION by plaintiff Matthew Haymaker to strike Dikar's Trial Experts , to quash expert examinations of plaintiff , for expedited hearing on these motions (DC) (Entered: 01/07/1999)
01/11/1999	157	ORDER by Judge Karl S. Forester IT IS HEREBY ORDERED that this action is REFERRED to the Hon. James B. Todd, U.S. Mag. Judge for the EDKY for resolution of the "Pltff's Motion to Strike Dikar's Trial Experts, to Quash Expert Examination of Pltff, and for Expedited Hearing [DE#156]; referring to Mag Judge James B. Todd the motion to strike Dikar's Trial Experts [156-1], referring to Mag Judge James B. Todd the motion to quash expert examinations of plaintiff [156-2], to Mag Judge James B. Todd the motion for expedited hearing on these motions [156-3] (cc: all counsel) (DC) (Entered: 01/11/1999)
01/11/1999	158	ORDER by Mag Judge James B. Todd IT IS THEREFORE ORDERED as follows: (1) that part of pltff's motion which requests an expedited hearing is GRANTED; (2) that this matter is assigned for hearing on pltff's motion to strike Dikar's trial experts and to quash expert examinations (DE#56) on Wednesday, January 27, 1999 at the hour of 9:00 a.m., U.S. Courthouse, Courtroom C, 101 Barr Street, Lexington, KY; (3) a court reporter is required to be present. (cc: all counsel) (DC) (Entered: 01/11/1999)
01/12/1999	159	SUPPLEMENTAL PHOTOGRAPHS TO EXPERT WITNESS COMPLIANCE by plaintiff Matthew Haymaker (DC) (Entered: 01/12/1999)
01/13/1999	160	MOTION by defendant Dikar, S. Coop LTDA to dismiss the Second Amended Complaint (DC) (Entered: 01/13/1999)
01/13/1999	161	MEMORANDUM by defendant Dikar, S. Coop LTDA in support of motion to dismiss the Second Amended Complaint [160-1] (DC) (Entered: 01/13/1999)
01/15/1999	162	ORDER by Mag Judge James B. Todd This matter having been set for hearing on 1/27/99 by previous order, and pltff's atty having advised that he has a conflict on that date, IT IS THEREFORE ORDERED as follows: (1) the hearing assigned for 1/27/99 is SET ASIDE; (2) that this matter is REASSIGNED for HEARING on pltff's motion to strike Dikar's trial experts and to quash expert examinations (DE#56) on Thursday, January 21, 1999 at the hour of 9:00 a.m., U.S. Courthouse, Courtroom C, 101 Barr Street, Lexington, KY; (3) court reporter is required to be present at this hearing; setting hearing on motion to strike Dikar's Trial Experts [156-1] 9:00 setting hearing on motion to quash expert examinations of plaintiff [156-2] 9:00 1/21/99 (cc: all counsel) (DC) (Entered: 01/15/1999)
01/15/1999	163	SUPPLEMENTAL ANSWERS TO FIRST SET OF

