

CAUSE NO. 2008-74658

**In re Deep South Crane & Rigging
Company—Crane Collapse Litigation**

§ IN THE DISTRICT COURT OF
§
§ HARRIS COUNTY, T E X A S
§
§ 157th JUDICIAL DISTRICT

Pre-Trial Order No. 2

On March 20, 2009, this Court conducted a pre-trial conference. Following the discussion at that conference, this court issues the following orders:

1. Plaintiffs are ordered to provide signed medical authorizations to defendants by Friday April 3, 2009.
2. If necessary, a hearing will be held on Friday April 3, 2009 at 10:00 a.m. to consider discovery issues. Motions to compel will be filed by Friday March 27, 2009, and any responses will be filed by Tuesday March 31, 2009.
3. As a result of the delays that occurred following the Lyondell bankruptcy, the following new deadlines are in place:
 - a. **Venue.** Defendant's motion to transfer venue is set for hearing on Friday September 4, 2009 at 11:00 a.m.
 - b. **Joinder.** New parties must be added and served by August 14, 2009, whether by amendment or third party practice. The party causing the joinder must provide a copy of this order at the time of service.
 - c. **Expert Witness Designations.** Plaintiffs must designate experts by November 9, 2009. Plaintiffs' experts must be made available for deposition December 28, 2009 through January 22, 2009. Defendants must designate experts by December 18, 2009. Defendants' experts must

be made available for deposition January 25, 2010 through February 12, 2010. Designations must include the information listed in Rule 194.2(f) of the Texas Rules of Civil Procedure.

- d. **Alternative Dispute Resolution.** Mediation must occur by February 19, 2010.
- e. **Discovery Cut-Off.** All discovery must be conducted by March 22, 2010. Parties seeking discovery must serve requests sufficiently far in advance of the end of the discovery period that that the deadline for responding will be within the discovery period. Discovery may be conducted beyond this date by agreement of the parties or by further order of this Court.
- f. **Dispositive Motions and Pleas.** Dispositive motions and pleas must be set for hearing or submission by February 8, 2010.
- g. **Challenges to Expert Testimony.** All motions to exclude expert testimony and evidentiary challenges to expert testimony must be filed by February 15, 2010, unless extended by agreement of the parties or by further order of this Court.
- h. **Pleading Cut-Off.** All amendments and supplements to pleadings must be filed by March 5, 2010. This order does not preclude prompt filing of pleadings responsive to any timely filed pleadings.
- i. **Trial.** Trial will be April 19, 2010.

Signed March 23, 2009.

Hon. Randy Wilson