

# ***NOVEMBER 4, 2003 Committee Meeting***

- October 27, 2003, is Day “1” for the 4<sup>th</sup> set of 50 cases, the Trial Date is April 13, 2004.
- Voir Dire Questions Proposed by B & W
- Status of Trials
- Discovery Issues in Group 2 and Group 3
- New Calendar issued today. There are tentative dates contained on the calendar as well as dates which are corresponding with the CMO. The tentative dates include those dates upon which it is the last date to dismiss a case without costs, the date on which jury summons are sent, and the holiday schedule for 2004. Dates contained on the calendar are always superceded by dates contained within an order or posting on the web site or in the MS 2003-00-0022 file.
- Confidential Mandatory Status Report for Second 50 Cases—***DUE BY DECEMBER 1, 2003***. This is because the jury commissioner MUST order the jury no later than December 5, and the first 50 trials start December 4, 2003. The form is available today and on the web.
- **November 14, 2003. Plaintiff must file the entire video testimony** to trigger the process of review, editing, and ruling, in preparation for the video evidentiary trials which are to begin December 4, 2003. To the extent the Plaintiff has complied with the discovery requirements of the Case Management Order announced at the May 23, 2003, meeting of the case Management Committee, and entered of record, June 24, 2003, Defendants are also required to file their entire video testimony on November 14, 2003. At the request of specific Defendants the court will consider whether each (or any) have been prejudiced by the failure of the Plaintiff to comply with the discovery time perimeters set in the Case Management Order, and, if so, will grant appropriate time for filing video evidence. **Consequence of failure to timely file video testimony.** (1) Failure of Plaintiff to comply will result in sua sponte dismissal for want of prosecution. Costs will be taxed. (2) Failure of Defendant to file video testimony at the appropriate time will result in deferred sanctions, including costs.
- The Court will promptly post on the web the cases, if any, that are dismissed. Counsel in other cases need to be prepared to proceed December 4, 2003, with video trials in chronological order.
- The Court has revised the video tape deadline and trial date for Group Two.