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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

MARSHALL DIVISION

BLITZSAFE TEXAS, LLC)	(
)	(CIVIL DOCKET NO.
)	(2:15-CV-1274-JRG-RSP
VS.)	(MARSHALL, TEXAS
)	(
HONDA MOTOR CO., LTD., ET AL.)	(JANUARY 11, 2017
)	(11:09 A.M.

PRE-TRIAL HEARING

BEFORE THE HONORABLE JUDGE ROY S. PAYNE

UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

FOR THE PLAINTIFF: (See Attorney Attendance Sheet docketed in minutes of this hearing.)

FOR THE DEFENDANTS: (See Attorney Attendance Sheet docketed in minutes of this hearing.)

COURT REPORTER: Shelly Holmes, CSR-TCRR
 Official Reporter
 United States District Court
 Eastern District of Texas
 Marshall Division
 100 E. Houston Street
 Marshall, Texas 75670
 (903) 923-7464

(Proceedings recorded by mechanical stenography, transcript produced on a CAT system.)

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I N D E X

January 11, 2017

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1 LAW CLERK: All rise.

2 THE COURT: Good morning. Please be seated.

3 For the record, we're here for the pre-trial
4 conference in Blitzsafe Texas, LLC versus Honda Motor Company,
5 et al., which is under I think Consolidated Case No. 2:15-1274.

6 Would counsel state their appearances for the record?

7 MR. FINK: Hello, Your Honor. Rudy Fink for
8 Plaintiff, Blitzsafe. I'm joined here by Mr. Shahar Harel,
9 Mr. Alfred Fabricant, Mr. Peter Lambrianakos, and Ms. Jennifer
10 Truelove.

11 THE COURT: All right. Thank you, Mr. Fink.

12 MR. DACUS: Good morning, Your Honor. Deron Dacus
13 here on behalf of Volkswagen, here with Susan Smith and Michael
14 Turner, Your Honor, and we're ready to proceed.

15 THE COURT: Thank you, Mr. Dacus.

16 MR. GARDNER: Good morning, Your Honor. Allen
17 Gardner, and with me is Mr. Kumar Vinnakota, Mr. Sean Hsu,
18 Mr. Glenn Janik, for Nissan, sir, we are ready. But I do want
19 to add Mr. Jeff Patterson is our lead counsel, and I believe we
20 notified the Court that he has pneumonia. Otherwise, he would
21 be here, and I just wanted to advise the Court on that. And
22 we're ready to proceed, sir.

23 THE COURT: All right. Thank you, Mr. Gardner.

24 MR. AKIN: Judge, Randy Akin for the Honda Defendants.
25 This is Mr. Bob Kantner, Mr. Albert Liou, Mr. Jeff White,

1 Mr. Joe Beauchamp, and we're ready to proceed.

2 THE COURT: All right. Thank you, Mr. Akin.

3 MR. CRAFT: Your Honor, Brian Craft. I'm here with
4 Paul Steadman and Matthew Satchwell, here on behalf of Hyundai
5 and Kia. We're ready to proceed.

6 THE COURT: Thank you, Mr. Craft.

7 MR. HEARTFIELD: Good morning, Your Honor. Thad
8 Heartfield on behalf of the Toyota Defendants. With me is Gil
9 Gillam and Bill Mandir and John Rabena, Fadi Kiblawi, and Brian
10 Shelton, and we are ready.

11 THE COURT: Thank you, Mr. Heartfield.

12 All right. As counsel are aware, we recently issued
13 an order setting out the order in which the, I think, five
14 matters that are separately on the trial docket in this group
15 will be reached by the Court. These are all set on the
16 February 6th trial docket at this time. There are other cases
17 on that docket, as well, that are also going through the
18 pre-trial process.

19 I have talked with Judge Gilstrap about the order of
20 trials between this group and the others that are on the
21 docket. He's in the process of preparing for a trial in Tyler
22 that starts next week. It should finish next week, as well.
23 And after that case has been resolved, we should be getting
24 into a position to be able to give counsel more precise
25 indications about where all of the cases will stand with

1 respect to each other. But at this point, these matters are
2 all on the February 6th trial docket.

3 I know there are a number of pending motions in this
4 matter, and I think that counsel have indicated that argument
5 on the motions would be a good use of time today. So I believe
6 that's where the intent is for us to start.

7 If anybody wants to be heard on something else before
8 we take up the pending motions, tell me about it.

9 Mr. Dacus?

10 MR. DACUS: Yes, Your Honor. I need to raise one
11 issue with the Court.

12 THE COURT: All right.

13 MR. DACUS: Not because we're expecting any action
14 today, Your Honor, but I want to put the Court on notice. We
15 will be filing a written motion to this effect, but Volkswagen
16 will need to file a motion for continuance of that February 6th
17 setting.

18 Mike Lennon, who is the lead attorney for Volkswagen,
19 had an accident Sunday evening. I won't go into the -- the
20 bitter details, but essentially his radiator in his home blew
21 up on him, and he has third degree burns today. He's, in fact,
22 in a burn unit today. He had every expectation of coming to
23 the pre-trial today, but obviously was not going to make it.
24 We do know that he's going to require skin grafts, and as the
25 Court probably well knows from its time in practice, that's

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