

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

Judge Robert W. Schroeder III

LISA TORREY, et al

V.

INFECTIOUS DISEASE SOCIETY OF
AMERICA, et al

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CIVIL NO. 5:17cv190

MINUTES FOR MOTIONS HEARING
HELD BEFORE JUDGE ROBERT W. SCHROEDER III
MARCH 11, 2019

OPEN: 2:03 pm

ADJOURN: 4:30 pm

ATTORNEY FOR PLAINTIFFS: See Attorney Sign In Sheet

ATTORNEY FOR DEFENDANTS: See Attorney Sign In Sheet

LAW CLERK: Wills Collier

COURTROOM DEPUTY: Betty Schroeder

COURT REPORTER: Christy Sievert

2:02 pm Case called; parties announce ready; Court welcomes everyone and gives some preliminary comments

2:10 pm Mr. Gene Egdorf gives the Court a status update on the case for the Plaintiffs

2:12 pm Court questions Mr. Egdorf; Mr. Egdorf responds

2:12 pm Mr. Daniel Dutko gives further update

2:15 pm Court questions Mr. Dutko; Mr. Dutko responds

2:18 pm Court questions Mr. Dutko; Mr. Dutko responds

2:22 pm Court questions Mr. Dutko; Mr. Egdorf responds

2:23 pm Mr. Mike Jones gives the Court a status update on the case for the Defendants

2:31 pm Mr. Mike Tuteur gives further update

2:33 pm Court questions Mr. Tuteur; Mr. Tuteur responds

2:35 pm Mr. Dutko responds

2:37 pm Mr. Jones continues with update

2:38 pm Mr. Egdorf responds

2:39 pm Mr. Jones continues

2:39 pm Court questions Mr. Jones; Mr. Jones responds; Court responds

2:41 pm Court questions Mr. Jones; Ms. Jennifer Doan responds; Court responds

2:47 pm Mr. Tuteur responds

2:53 pm Mr. Pete Chassman gives his client's update

2:54 pm Mr. Alvin Dunn gives his clients' update

2:54 pm Court questions Mr. Dunn; Mr. Dunn responds

2:55 pm Ms. Sarah Donnell gives her client's update

2:56 pm Mr. Dutko responds

2:57 pm Mr. Dutko argues Plaintiffs' Motion for Extension of Time to Replead (dkt. #123); Motion to Compel (dkt. #138); and Motion to Continue (dkt. #148)

2:59 pm Court questions Mr. Dutko; Mr. Dutko responds

3:04 pm Mr. Tuteur responds to argument

3:15 pm Court questions Mr. Tuteur; Mr. Tuteur responds

3:20 pm Mr. Lance Lee replies

3:23 pm Mr. Tuteur responds

3:23 pm Court responds

3:23 pm Recess

3:39 pm Ms. Doan provides the Court with an additional answer to previous question from the Court

3:40 pm Mr. Chassman argues Defendants' Motion to Compel (dkt. #146)

3:50 pm Court questions Mr. Dutko regarding producing documents, plaintiffs for depositions, and damages calculations; Mr. Dutko responds - (30 days to produce plaintiffs and damages and 2 weeks to produce documents)

3:52 pm Mr. Chassman replies

3:53 pm Mr. Dutko responds

3:53 pm Court questions Mr. Dutko; Mr. Dutko responds

3:54 pm Mr. Chassman replies

3:54 pm Ms. Eileen Ridley argues Defendants' Motion for Independent Medical Examination (dkt. #154)

3:56 pm Mr. Ryan Higgins responds to argument

3:57 pm Court questions Mr. Higgins; Mr. Higgins responds

4:04 pm Ms. Ridley replies

4:05 pm Court questions Ms. Ridley; Ms. Ridley responds

4:08 pm Court advises he will grant motion in-part and requests that Ms. Ridley submit within 7 days a short narrative of why good cause has been demonstrated for each IME sought; parties are to meet and confer within the next two weeks regarding a person who can serve as a court appointed independent medical examiner; defendant will be responsible for the costs of the IME; travel expenses will be shared equally between the parties with respect to the plaintiffs

4:13 pm Mr. Alvin Dunn argues the doctors' Motion to Dismiss (dkt. #151)

4:16 pm Court questions Mr. Dunn; Mr. Dunn responds

4:18 pm Mr. Lee responds to argument

4:21 pm Mr. Dunn replies

- 4:22 pm Court addresses the parties - Plaintiffs will have 14 days to file amended complaint; parties are to meet and confer within seven days regarding reasonable amount of time for defendant to go back for documents; plaintiffs need to produce all documents going back to beginning
- 4:26 pm Mr. Lee questions the Court regarding guidance on Local Rule 30 on the depositions of Defendants' representatives; Court responds
- 4:27 pm Mr. Tuteur questions the Court regarding Plaintiffs' depositions; Court responds
- 4:30 pm Recess