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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

In Re: Toyota Motor Corp. Unintended
Acceleration Marketing, Sales
Practices, and Products Liability
Litigation

CASE NO: 8:10ML02151 JVS

This document relates to:

ALL CASES

ORDER NO. 23: Planning Conference
for Remaining Wrongful
Death/Personal Injury Cases

In Order No. 16, the Court set a schedule for a series of bellwether trials for 2013. The first bellwether wrongful death/personal injury, Van Alfen v. Toyota, was scheduled for trial in February 2013, but was resolved. (See Docket No. 3365.) The Court also set a bellwether trial for the economic loss class actions for July 2013. (Docket Nos. 1955, 2494.) However, the parties have resolved all economic loss claims subject to the Court's final approval. (See Docket Nos. 3344, 3345.) The second bellwether wrongful death/personal injury case, St. John v. Toyota, is set for trial in early November 2013. (Docket No. 3398.)

The Court believes it is now appropriate to plan for the preparation and resolution of the balance of the wrongful death/personal injury cases, and

1 accordingly sets a Planning Conference for April 4, 2013 at 9:00 a.m.
2

3 After discussion with counsel for the Plaintiff's Liaison Committee
4 for Wrongful Death/ Personal Injury Cases ("Committee") and Toyota, the Court is
5 considering a plan with the following broad contours:

6
7 • Bellwether Trial Cases. Designation by the Committee and Toyota
8 of three additional cases each as bellwether trial cases, with two of each party's
9 designations proceeding to trial in 2014. The Court is personally committed to try
10 at least one of these cases. The remainder may be tried in this Court or in other
11 venues.

12
13 • Bellwether Pool. Designation by the Committee and Toyota of ten
14 additional cases each for potential bellwether trial status. The stay on discovery
15 and law and motions practice would be lifted. The cases would proceed in the
16 normal course, but without trial dates.

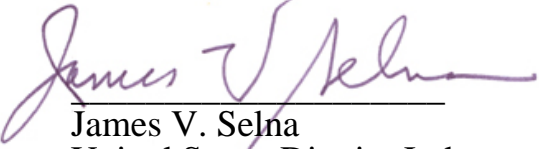
17
18 • Continued Stay. The remaining wrongful death/personal injury
19 cases would remain subject to stay.¹

20 The Court believes that additional provisions need to be made to
21 provide parties in cases not designated as bellwether trial cases or part of the
22 bellwether pool access to discovery and preparation developed to date. Such
23 access will need to be tailored to the requirements of the existing protective orders.
24

25
26 _____
27 ¹The existing provisions for emergency or preservation discovery would continue to be
28 available to the parties in these cases.

1 To facilitate the discussion on April 4, 2013, the Court directs the
2 Committee and Toyota to file either a joint statement or individual statements. All
3 other parties are invited to file additional joint or individual statements. A joint
4 Committee–Toyota statement shall be no more than thirty pages. All other
5 statements shall be no more than fifteen pages. Statements shall be filed no later
6 than March 21, 2013. Any party may thereafter file a supplemental statement of no
7 more than eight pages no later than March 28, 2013.

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10 Dated: February 27, 2013

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12 James V. Selna
13 United States District Judge
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