



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:
GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

This Document Relates to:

Norville v. General Motors LLC, 14-CV-8176
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14-MD-2543 (JMF)
14-MC-2543 (JMF)

ORDER NO. 109

JESSE M. FURMAN, United States District Judge:

**[Application of Certain Pretrial Orders in MDL Bellwether Trial Nos. 1 and 2
to MDL Bellwether Trial No. 6 (Norville)]**

1. **Application of Certain Pretrial Orders in Bellwether Trial Nos. 1 and 2 to Bellwether Trial No. 6:** Pursuant to Order No. 101, GM LLC and Plaintiff submitted a joint letter and proposal regarding the applicability of certain pretrial rulings from Bellwether Trial Nos. 1 and 2 to Bellwether Trial No. 6. Having reviewed the parties' submissions, and for good cause shown, the Court adopts the holdings contained in the chart attached as Exhibit 1 to this Order concerning the applicability of the listed Bellwether Trial Nos. 1 and 2 pretrial orders to Bellwether Trial No. 6. To the extent either party intends to file new briefing in accordance with this Order, the parties shall first meet and confer to avoid unnecessary motion practice and to narrow any disputes. Finally, for good cause shown (by way of letter motion seeking leave from the Court), any party may seek modification or reconsideration of the Court's evidentiary rulings that are deemed applicable to Bellwether Trial No. 6 pursuant to this Order if later rulings on motions *in limine*, dispositive motions, or *Daubert* motions change the scope of relevant and admissible evidence in Bellwether Trial No. 6. A party may seek such leave to move for such modification or reconsideration, however, only after meeting and conferring with the other side.

2. **Effect of This Order on Other Rules and Orders:** To the extent not explicitly modified herein, the Court's Individual Rules and Practices in Civil Cases and Rules and Procedures for Trials and all other applicable Orders of this Court remain in full force and effect. The Court may enter additional and/or modified orders regarding the pretrial schedule of Bellwether Trial No. 6 as circumstances require.

SO ORDERED.

Dated: July 13, 2016
New York, New York



JESSE M. FURMAN
United States District Judge

Issue Briefed in <i>Scheuer</i> or <i>Barthelemy</i> and Ruling	Application to <i>Norville</i>¹
<p><i>Scheuer</i> Pl. Motion In <i>Limine</i> (“MIL”) No. 1 (Collateral Source Benefits) (Docket Nos. 1525, 1526)</p> <p>Ruling: 11/23/2015 Order (Docket No. 1727)</p>	<p>The parties agree that the Court’s ruling is specific to Oklahoma law and does not apply.</p> <p>HOLDING: The Court’s order regarding the <i>Scheuer</i> plaintiff’s MIL No. 1 does not apply to <i>Norville</i>.</p>
<p><i>Scheuer</i> Pl. MIL No. 2 (Prior Unrelated Injures and Family Medical History) (Docket Nos. 1565, 1566)</p> <p>Ruling: 11/23/2015 Order (Docket No. 1727)</p>	<p>The parties agree that the Court’s ruling is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding the <i>Scheuer</i> plaintiff’s MIL No. 2 does not apply to <i>Norville</i>.</p>
<p><i>Scheuer</i> Pl. MIL No. 3 (Use of Pain Medication) (Docket Nos. 1714, 1715)</p> <p>Ruling: 12/9/2015 Order (Docket No. 1837)</p>	<p>The parties agree that the Court’s ruling is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding the <i>Scheuer</i> plaintiff’s MIL No. 3 does not apply to <i>Norville</i>.</p>

¹ Nothing in this proposed order should be construed to waive any of the parties’ preserved objections or rights to appeal the Court’s rulings. To the contrary, all arguments from prior briefing and/or oral arguments on such motions are expressly preserved.

<p><i>Scheuer</i> Pl. MIL No. 4 (Spoliation) (Docket Nos. 1711, 1712)</p> <p>Ruling: 12/29/2015 Order (Docket No. 1969)</p>	<p>The parties agree that the Court’s ruling is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>The parties further agree that the jury should be instructed that plaintiff’s 2003 Saturn Ion that was involved in the accident on November 21, 2013 was not examined, inspected, or analyzed by either side or their experts and the jury should not draw any negative inference against either side as a result.</p> <p>HOLDING: The Court’s order regarding the <i>Scheuer</i> plaintiff’s MIL No. 4 does not apply to <i>Norville</i>. The Court will consider the parties proposed instruction with respect to the inspection and availability of the car in connection with jury instruction proposals.</p>
<p><i>Scheuer</i> Pl. MIL No. 5 (Deferred Prosecution Agreement) (Docket Nos. 1731, 1732)</p> <p>Ruling: 12/16/2015 Order (Docket No. 1894)</p>	<p>The parties agree that the Court’s ruling should apply to <i>Norville</i>, subject to the parties’ rights to move for reconsideration should the Court’s subsequent rulings change the scope of relevant or admissible evidence in this case.</p> <p>HOLDING: The Court’s ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order.</p>
<p><i>Scheuer</i> Pl. MIL No. 6 (Live Trial Witnesses) (Docket Nos. 1742, 1743)</p> <p>Ruling: 12/17/2015 Hr’g Tr. at 5:18-8:16</p>	<p>The parties agree that the Court’s ruling is applicable to <i>Norville</i>. The parties further agree to apply the process used in <i>Scheuer</i> for making GM LLC’s live witnesses available during plaintiff’s case in chief: specifically, (1) GM LLC will make any of its Will Call employee witnesses available to testify during her case in chief (subject to advance notice); and (2) by <u>November 21, 2016</u>, GM LLC will inform plaintiff as to whether it intends to call any of its May Call employee witnesses at trial, and any such GM LLC May Call witness will thereafter be made available to testify during plaintiff’s case in chief (subject to advance notice).</p> <p>HOLDING: The Court’s order regarding the <i>Scheuer</i> plaintiff’s MIL No. 6 applies to <i>Norville</i> and the Court adopts the parties’ process set forth above regarding making GM LLC Will Call and May Call witnesses available to testify during plaintiff’s case in chief.</p>

<p><i>Scheuer Pl. MIL No. 7 (Plaintiff's Feinberg Claim)</i> (Docket Nos. 1807, 1808)</p> <p>Ruling: 12/29/2015 Order (Docket No. 1969)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the <i>Scheuer</i> plaintiff's MIL No. 7 does not apply to <i>Norville</i>.</p>
<p><i>Scheuer Pl. Daubert Motion</i> (Docket Nos. 1801, 1802)</p> <p>Ruling: 12/29/2015 Order (Docket No. 1970)</p>	<p>The parties agree that the Court's rulings relating to Thomas Livernois and Jeya Padmanaban apply to <i>Norville</i>. The Court's ruling as to Harry Smith is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>Neither party anticipates the need to brief the issues resolved by this motion, but Plaintiff reserves the right to raise arguments to exclude experts and/or opinions not addressed in the <i>Scheuer</i> plaintiff's <i>Daubert</i> motion.</p> <p>HOLDING: The Court's order regarding the <i>Scheuer</i> plaintiff's <i>Daubert</i> motion applies to <i>Norville</i> with respect to the opinions of Thomas Livernois and Jeya Padmanaban, but does not apply to <i>Norville</i> with respect to the opinion of Harry Smith. In addition, the parties are free to raise arguments to exclude experts and/or opinions not addressed in the <i>Scheuer</i> plaintiff's <i>Daubert</i> motion.</p>
<p>GM LLC MIL No. 1 (NHTSA Consent Order) (Docket Nos. 1378, 1379)</p> <p>Ruling: 12/01/2015 Order (Docket No. 1770)</p>	<p>The parties agree that the Court's ruling should apply to <i>Norville</i>, subject to the parties' rights to move for reconsideration should the Court's subsequent rulings change the scope of relevant or admissible evidence in this case.</p> <p>HOLDING: The Court's ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order.</p>

<p>GM LLC MIL No. 2 (Spoliation) (Docket Nos. 1411, 1415)</p> <p>Ruling: 12/29/2015 Order (Docket No. 1969)</p>	<p>The parties agree that the Court’s ruling is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>The parties further agree that the jury should be instructed that plaintiff’s 2003 Saturn Ion that was involved in the accident on November 21, 2013 was not examined, inspected, or analyzed by either side or their experts and the jury should not draw any negative inference against either side as a result.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 2 in <i>Scheuer</i> does not apply to <i>Norville</i>. The Court will consider the parties proposed instruction with respect to the inspection and availability of the car in connection with jury instruction proposals.</p>
<p>GM LLC MIL No. 3 (Paid vs. Incurred Medical Expenses) (Docket Nos. 1573, 1574)</p> <p>Ruling: 11/23/2015 Order (Docket No. 1727)</p>	<p>The parties agree that the Court’s ruling is specific to Oklahoma law and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 3 in <i>Scheuer</i> does not apply to <i>Norville</i>.</p>
<p>GM LLC MIL No. 4 (Plaintiff’s Eviction) (Docket Nos. 1580, 1581)</p> <p>Ruling: 11/30/2015 Order (Docket No. 1770)</p>	<p>The parties agree that the Court’s ruling is fact-specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 4 in <i>Scheuer</i> does not apply to <i>Norville</i>.</p>
<p>GM LLC MIL No. 5 (Cases Filed and Prior Settlements) (Docket Nos. 1582, 1583)</p> <p>Ruling: 11/30/2015 Order (Docket No. 1770)</p>	<p>The parties agree that the Court’s ruling should apply to <i>Norville</i>, subject to the parties’ rights to move for reconsideration should the Court’s subsequent rulings change the scope of relevant or admissible evidence in this case.</p> <p>HOLDING: The Court’s order applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order.</p>

<p>GM LLC MIL No. 6 (Anderson/Ward-Green Criminal Cases) (Docket Nos. 1585, 1586)</p> <p>Ruling: 11/30/2015 Order (Docket No. 1770)</p>	<p>The parties agree that the Court’s ruling is applicable to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 6 in <i>Scheuer</i> applies to <i>Norville</i>.</p>
<p>GM LLC MIL No. 7 (Punitive Damages) (Docket Nos. 1611, 1612)</p> <p>Ruling: 12/30/2015 Order (Docket No. 1980)</p>	<p>Pl. Position: The portion of the Court’s ruling indicating that there are three types of damages available to Plaintiffs, including that punitive damages are available against GM LLC for “Independent Claims,” applies to <i>Norville</i>. The part of the Court’s ruling addressing whether such punitive damages are available under Oklahoma law is specific to <i>Scheuer</i> and does not apply to <i>Norville</i>.</p> <p>GM LLC Position: The Court’s ruling in <i>Scheuer</i> was dependent upon its summary judgment ruling in <i>Scheuer</i> and should not apply in <i>Norville</i>, where the Court has not yet ruled on summary judgment. GM LLC anticipates moving for summary judgment on several issues, including punitive damages; therefore the Court’s ruling in <i>Scheuer</i> should not apply to <i>Norville</i>. GM LLC reserves the right to brief the admissibility of evidence relating to punitive damages following the Court’s ruling on its motion for summary judgment. Plaintiff does not oppose this request.</p> <p>HOLDING: The Court’s ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order.</p>
<p>GM LLC MIL No. 8 (Misrepresentations to NHTSA) (Docket Nos. 1614, 1615)</p> <p>Ruling: 12/3/2015 Order (Docket No. 1791)</p>	<p>The parties agree that the Court’s ruling should apply to <i>Norville</i>, subject to the parties’ rights to move for reconsideration should the Court’s subsequent rulings change the scope of relevant or admissible evidence in this case.</p> <p>HOLDING: The Court’s ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order.</p>

<p>GM LLC MIL No. 9 (Privilege Issues at Trial) (Docket Nos. 1616, 1617)</p> <p>Ruling: 12/3/2015 Order (Docket No. 1791)</p>	<p>The parties agree that the Court’s ruling is applicable to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 9 in <i>Scheuer</i> applies to <i>Norville</i>.</p>
<p>GM LLC MIL No. 10 (Discovery and Other Litigation Conduct) (Docket Nos. 1618, 1619)</p> <p>Ruling: 12/3/2015 Order (Docket No. 1791)</p>	<p>The parties agree that the Court’s ruling is applicable to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 10 in <i>Scheuer</i> applies to <i>Norville</i>.</p>
<p>GM LLC MIL No. 11 (Other Similar Incidents) (Docket Nos. 1629, 1630) (<i>see also</i> Docket Nos. 1834, 1910)</p> <p>Ruling: 12/3/2015 Order (Docket No. 1790); 12/28/2015 Order (Docket No. 1968)</p>	<p>The parties agree the Court’s ruling on the legal standards and framework for analyzing the admissibility of evidence regarding other similar incidents from <i>Scheuer</i> and <i>Barthelemy</i> is generally applicable in <i>Norville</i>, but reserve the right to raise new arguments regarding the scope and type of admissible OSI evidence based on the different evidence proffered by plaintiff, the different factual circumstances at issue in <i>Norville</i>, as well as issues to be raised in the parties’ dispositive motions and motions <i>in limine</i>.</p> <p>HOLDING: The Court reserves judgment on the applicability of its rulings on other similar incidents from <i>Scheuer</i> and <i>Barthelemy</i> to <i>Norville</i>.</p>

<p>GM LLC MIL No. 12 (Valukas Report) (Docket Nos. 1631, 1632)</p> <p>Ruling: 12/9/2015 Order (Docket No. 1837)</p>	<p>The parties agree that the Court’s ruling should apply to <i>Norville</i>. <u>Plaintiff reserves the right to select the excerpts from the Valukas Report that she would like to offer at trial, subject to the schedule set forth by the Court.</u> To the extent subsequent rulings on GM LLC’s motion for summary judgment, plaintiffs’ OSI disclosure, or other rulings change the scope of relevant or admissible evidence in this case, GM LLC reserves the right to submit additional briefing on the scope of evidence admissible pursuant to this ruling following those rulings. Plaintiff does not oppose this request.</p> <p>HOLDING: The Court’s ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order.</p>
<p>GM LLC MIL No. 13 (Government Investigations) (Docket Nos. 1633, 1634)</p> <p>Ruling: 11/25/2015 Order (Docket No. 1749)</p>	<p>GM LLC’s motion remains unopposed. The parties agree that the Court’s ruling in <i>Scheuer</i> granting the motion as unopposed is applicable to <i>Norville</i>.</p> <p>HOLDING: GM LLC’s motion remains unopposed. The Court’s order regarding GM LLC’s MIL No. 13 in <i>Scheuer</i> granting the motion as unopposed applies to <i>Norville</i>.</p>

<p>GM LLC MIL No. 14 (Congressional Testimony) (Docket Nos. 1635, 1636)</p> <p>Ruling: 12/9/2015 Order (Docket No. 1837)</p>	<p>The parties agree that the Court's ruling should apply to <i>Norville</i>. To the extent subsequent rulings on GM LLC's motion for summary judgment, plaintiffs' OSI disclosure, or other rulings change the scope of relevant or admissible evidence in this case, GM LLC reserves the right to submit additional briefing on the scope of evidence admissible pursuant to this ruling following those rulings. Plaintiff does not oppose this request.</p> <p>The parties further agree that plaintiff will disclose the specific page and line numbers of the Congressional testimony she intends to offer at trial along with her deposition designations on <u>October 11, 2016</u>, and the parties will raise any disputes with respect to this disclosure in connection with the parties' deposition designations by no later than <u>October 25, 2016</u>.</p> <p>HOLDING: The Court's ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order. The Court also adopts the parties' proposal above regarding the disclosure of and resolution of disputes with respect to plaintiff's proffered Congressional testimony in connection with the parties' deposition designation disputes.</p>
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<p>GM LLC MIL No. 15 (Government Reports) (Docket Nos. 1637, 1638)</p> <p>Ruling: 12/9/2015 Order (Docket No. 1837)</p>	<p>The parties agree that the Court’s ruling in <i>Scheuer</i> should apply to <i>Norville</i>. To the extent subsequent rulings on GM LLC’s motion for summary judgment, plaintiffs’ OSI disclosure, or other rulings change the scope of relevant or admissible evidence in this case, GM LLC reserves the right to submit additional briefing on the scope of evidence admissible pursuant to this ruling following those rulings.</p> <p>The parties further agree that plaintiff will disclose the specific excerpts of the <i>Path Forward</i> report she intends to offer at trial along with her deposition designations on <u>October 11, 2016</u>, and the parties will raise any disputes with respect to this disclosure in connection with the parties’ deposition designations by no later than <u>October 25, 2016</u>.</p> <p>HOLDING: The Court’s ruling applies, subject to a party moving to reconsider pursuant to Paragraph 1 of this Order. The Court also adopts the parties’ proposal above regarding the disclosure of and resolution of disputes with respect to plaintiff’s proffered excerpts from the <i>Path Forward Report</i>.</p>
<p>GM LLC MIL No. 16 (Non-Delta Ignition Switches) (Docket Nos. 1639, 1640)</p> <p>Ruling: 12/7/2015 Order (Docket No. 1825); 12/29/2015 Order (Docket No. 1971) (factual correction)</p>	<p>The parties agree that the Court’s ruling in <i>Scheuer</i> should apply to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding GM LLC’s MIL No. 16 in <i>Scheuer</i> applies to <i>Norville</i>.</p>

<p>GM LLC MIL No. 17 (Adequacy of Recall Remedies) (Docket Nos. 1641, 1642)</p> <p>Ruling: 12/7/2015 Order (Docket No. 1825)</p>	<p>GM LLC and plaintiff stipulate and agree that the parties will not introduce evidence relating to: (i) the adequacy of the ignition switch recall notice issued in 2014, (ii) the ordering and availability of parts to complete the recall repair, (iii) the availability of loaner vehicles, and (iv) the pace and adequacy of completed recall repairs, through their witnesses, including any expert at trial. For avoidance of doubt, this stipulation does not include: (1) any evidence contained in the Valukas Report, the Deferred Prosecution Agreement and its exhibits, and the NHTSA Consent Order that the Court rules is admissible at trial; (2) the admissibility of any recall notice sent to plaintiff; or (3) the timing of the recalls.</p> <p>HOLDING: SO ORDERED.</p>
<p>GM LLC MIL No. 18 (Irrelevant, Pejorative, Unfairly Prejudicial Remarks) (Docket Nos. 1643, 1644)</p> <p>Ruling: 12/7/2015 Order (Docket No. 1825)</p>	<p>The parties agree that the part of this motion that was granted is applicable to <i>Norville</i>. The parties further believe they will be able to reach agreement on the rest of the issues raised in the motion.</p> <p>Neither party currently anticipates the need to brief the issue in <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding GM LLC's MIL No. 18 in <i>Scheuer</i> applies to <i>Norville</i>.</p>
<p>GM LLC MIL No. 19 (Anonymous Letters) (Docket Nos. 1805, 1806)</p> <p>Ruling: 12/29/2015 Order (Docket No. 1971)</p>	<p>The parties agree that the Court's ruling should apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding GM LLC's MIL No. 19 in <i>Scheuer</i> applies to <i>Norville</i>.</p>
<p>GM LLC MIL No. 20 (Evidence re Airbag Non-Deployment) (Docket Nos. 2209, 2210)</p> <p>Order: 2/25/2016 (Docket No. 2362)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Barthelemy</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding GM LLC's MIL No. 20 does not apply to <i>Norville</i>.</p>

<p>GM LLC MIL No. 21 (FTC Consent Order) (Docket Nos. 2213, 2214)</p> <p>Order: 2/16/2016 (Memo Endorsement of Stipulation, Docket No. 2287)</p>	<p>GM LLC and plaintiffs stipulate and agree that the parties will not introduce evidence relating to: (i) the proposed consent order between General Motors LLC and the Federal Trade Commission (“FTC”) (<i>In the Matter of General Motors LLC</i>, FTC File No. 152-3101), or (ii) any final version of such FTC consent order.</p> <p>HOLDING: SO ORDERED.</p>
<p>GM LLC Daubert Motion (Docket Nos. 1815, 1820)</p> <p>Ruling: 12/29/2015 Order (Docket No. 1970)</p>	<p>The parties agree that the Court’s <i>Daubert</i> rulings in <i>Scheuer</i> relating to state-of-mind opinions and airbag prolongation opinions apply in <i>Norville</i>. The remaining rulings are case-specific or relate to experts who are not offering opinions in <i>Norville</i>, and therefore do not apply. GM LLC reserves the right to raise additional arguments to exclude experts and/or opinions not addressed in GM LLC’s <i>Scheuer Daubert</i> motion. For example, GM LLC reserves the right to argue that plaintiff’s expert’s airbag prolongation opinions should be excluded here for a different reason—<i>i.e.</i> they are irrelevant to this case.</p> <p>The parties further agree and stipulate to the following:</p> <p>Steve Loudon will not testify that the lack of ESC or ABS in plaintiff’s 2003 Saturn Ion is a separate defect or safety issue, independent from the ignition switch defect. Loudon further will not testify that the lack or loss of ESC or ABS caused plaintiff’s crash, as he has not analyzed her vehicle or provided an opinion as to the cause of plaintiff’s crash.</p> <p>Plaintiff’s experts will not opine on the expectations of ordinary consumers.</p> <p>HOLDING: The Court’s order regarding GM LLC’s <i>Daubert</i> motion applies in <i>Norville</i> to the extent described above, but the parties are free to raise arguments to exclude experts and/or opinions not addressed in GM LLC’s <i>Daubert</i> motion in <i>Scheuer</i>.</p>
<p>VTTI Report (Docket Nos. 2116, 2119)</p> <p>Order: 1/19/2016 (1/19/2016 Trial Tr. at 789-90)</p>	<p>The parties agree that the Court’s ruling should apply to <i>Norville</i>.</p> <p>HOLDING: The Court’s order regarding the VTTI Report in <i>Scheuer</i> applies to <i>Norville</i></p>

<p>Secretary Foxx Letter (Docket Nos. 1999, 2003)</p> <p>Order: 1/6/2016 (Final Pretrial Conference Hr'g Tr. at 3:24-4:22)</p>	<p>The parties agree that the Court's ruling should apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the Secretary Foxx letter in <i>Scheuer</i> applies to <i>Norville</i></p>
<p>Redactions to the Valukas Report, the DPA Statement of Facts, and NHTSA Consent Order:</p> <p>Orders: 1/6/2016 (Docket Nos. 2017, 2018, 2019)</p>	<p>The parties agree that the applicability of the Court's rulings on the redactions to the Valukas Report, DPA Statement of Facts, and the NHTSA Consent Order should be deferred until the Court rules on GM LLC's motion for summary judgment and plaintiff's OSI disclosure in accordance with Order 101.</p> <p>HOLDING: The Court reserves judgment on the applicability of the rulings on redactions to the Valukas Report, DPA Statement of Facts, and NHTSA Consent Order in <i>Scheuer</i> to <i>Norville</i> until after the Court rules on summary judgment or other rulings that change the scope of relevant or admissible evidence in this case.</p>
<p>GM LLC Motion to Preclude Plaintiffs from Calling Michael Gruskin Live At Trial (Docket Nos. 2404, 2442, 2455)</p> <p>Ruling: 3/9/2016 Pretrial Conference Transcript (and Docket No. 2461)</p>	<p>The parties agree that the Court's ruling precluding plaintiffs from calling Michael Gruskin to testify live at trial applies to <i>Norville</i>.</p> <p>HOLDING: The Court's order precluding plaintiffs from calling Michael Gruskin to testify live at trial applies to <i>Norville</i>.</p>
<p>Barthelemy Pls. MIL No. 1 (Barthelemy's Criminal Record) (Docket Nos. 2231, 2232)</p> <p>Order: 2/23/2015 (Text Order, Docket No. 2346)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Barthelemy</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the <i>Barthelemy</i> plaintiffs' MIL No. 1 does not apply to <i>Norville</i>.</p>

<p>Barthelemy Pls. MIL No. 2 (Expert Testimony re Airbag Deployment) (Docket Nos. 2215, 2216)</p> <p>Order: 2/23/2015 (Text Order, Docket No. 2346)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Barthelemy</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the <i>Barthelemy</i> plaintiffs' MIL No. 2 does not apply to <i>Norville</i>.</p>
<p>Barthelemy Pls. MIL No. 4 (Prior Lawsuits by Plaintiffs) (Docket Nos. 2223, 2224)</p> <p>Order: 2/23/2015 (Text Order, Docket No. 2346)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Barthelemy</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the <i>Barthelemy</i> plaintiffs' MIL No. 4 does not apply to <i>Norville</i>.</p>
<p>Barthelemy Pls. MIL No. 6 (Officer David Kramer) (Docket Nos. 2217, 2218)</p> <p>Order: 2/23/2015 (Text Order, Docket No. 2346)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Barthelemy</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the <i>Barthelemy</i> plaintiffs' MIL No. 6 does not apply to <i>Norville</i>.</p>
<p>Barthelemy Pls. MIL No. 7 (Plaintiffs' Insurance Claims) (Docket Nos. 2221, 2222)</p> <p>Order: 2/23/2015 (Text Order, Docket No. 2346)</p>	<p>The parties agree that the Court's ruling is fact-specific to <i>Barthelemy</i> and does not apply to <i>Norville</i>.</p> <p>HOLDING: The Court's order regarding the <i>Barthelemy</i> plaintiffs' MIL No. 7 does not apply to <i>Norville</i>.</p>