

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO  
BEFORE HONORABLE DANIEL R. DOMINGUEZ**

**MINUTES OF PROCEEDINGS**

DATE: May 29, 2001

**CIVIL NO. 98-2409 (DRD)**

LAW CLERK: Frances del Toro

**CHRISTOPHER MERCIER, et al.,**

Attorneys: Harry R. SEGARRA

Plaintiff,

v.

**FIREWORKS BY GIRONE OF**

Anselmo IRIZARRY

**PUERTO RICO, et al.,**

Luis ORTEGA

Defendants.

Juan RIVAS-RIVERA

A SETTLEMENT CONFERENCE was held today. The parties advised the Court as to the status of the case and informed the Court that they have not been able to reach a settlement. In light of the fact that no settlement has been reached, this case will proceed to trial, which is scheduled to commence on July 9, 2001. The Court set the following case management deadlines:

- (1) Defendants are to identify any additional expert witnesses within the next **15 days**;
- (2) The parties are to conduct depositions of newly added expert witnesses **15 days** after completion of Step (1);
- (3) Plaintiffs are to comply with Fed.R. Civ.P. 26 as to Dr. Amy and provide defendant Municipality of Ponce with said expert witness report within the next **15 days**.

The parties also identified a number of expert and factual witnesses that will no longer testify at trial. The following is a list of said witnesses:

- a- Charlotte Silva
- b- Nancy Torres Rodriguez
- c- Gladys Vaquer Rodriguez
- d- Joseph Hendee
- e- Elvin Ortiz Rodriguez
- f- Police Officer Miguel Diaz
- g- Dr. Jose Rivera
- h- Peter Somivich
- i- Alex Duncan
- j- Pablo Torres
- k- Malcolm Ghazal, M.D.
- l- Neal Peeble, M.D.
- m-Sam Castro, M.D.

Plaintiffs are to furnish the jury instructions in this case. The plaintiffs are to circulate

*A*

5

*SS mg*

the instructions to other parties for further review by **July 2, 2001**. Defendants are to add information pertaining to insurance company standards to the jury instructions. A Final Pretrial conference is set for **June 28, 2001 at 5:00 p.m.** At the Final Pretrial Trial Conference each party is to provide the Court with a small paragraph summarizing what the above captioned case is about from that party's perspective and a second paragraph stating the elements of the case. The Court reminds the parties that trial is set to commence on **July 9, 2001 at 9:00 a.m.** **No extensions shall be granted.** All deadlines are **FINAL** and **FATAL**.

P:\MINUTES\98-2409\_set.wpd



**DANIEL R. DOMINGUEZ**  
**U.S. DISTRICT JUDGE**

*July Clerk 6/1/01, no*