

IN THE CIRCUIT COURT OF WEAKLEY COUNTY, TENNESSEE

CODY LEE WADE, RONALD WADE AND
REBA WADE,

PLAINTIFFS,

AND

VOLUNTEER STATE HEALTH PLAN, INC.
AND BLUE CROSS BLUE SHIELD OF
TENNESSEE,

INTERVENING PLAINTIFFS,

VS.

NO. 4253

HEALTHSOUTH CORPORATION, D/B/A
HEALTHSOUTH CANE CREEK
REHABILITATION HOSPITAL,
HEALTHSOUTH CANE CREEK
REHABILITATION HOSPITAL,
SUSAN LOWRY, M.D.,
WILLIAM C. EASON, M.D.,
MARTIN MEDICAL CENTER, P.C. AND
WEAKLEY COUNTY AMBULANCE SERVICE,

DEFENDANTS.

PRETRIAL ORDER

Pursuant to a pretrial conference held on April 30, 2013, in Dresden, the following order is entered.

1. Jury questionnaires will be completed on May 6th, and furnished to counsel as soon thereafter as possible.
2. The attorneys will exchange by May 17th, a list of witnesses they will call and a list of witnesses they may call.
3. The parties shall designate the deposition testimony they expect to use

at trial (except for impeachment) by May 17th. Responses to such designations shall be made by May 24th. Any issues concerning the deposition designations shall be presented to the Court on June 3rd.

4. The attorneys shall exchange exhibits by May 17th. Any objections to exhibits shall be made by May 24th, and the objections will be addressed on June 3rd.

5. On June 3rd, at 1:00 p.m., the Court will hear any pending motions and will address other matters in this case. A decision on the courtroom arrangement will also be made on June 3rd. The attorneys shall submit proposed verdict forms to the Court no later than June 3rd.

6. The trial of this case will begin on June 4, 2013, at 9:00 a.m., and will continue until completed.

7. Thereafter, the jury will convene at 9:30 a.m., on each day. If there are issues that must be addressed outside of the presence of the jury, the Court and the attorneys will convene at 8:30 a.m..

8. Court will be conducted Monday through Friday, except for June 28th and July 4th and 5th.

9. The jury selection process was explained by the Court to the attorneys. In addition, the Court announced that five additional jurors would be selected which would increase the number of peremptory challenges of each party accordingly. Peremptory challenges shall be made against the twelve jurors seated in the jury box and the first five sitting outside the box.

10. The attorneys shall submit to the Court a narrative of their contentions in this case before trial so that the narratives may be read by the Court to the jury at the beginning of the jury selection process. Pretrial memorandums are optional.

11. The parties estimate that they will call the following number of witnesses:

Plaintiffs - six lay witnesses, two treating physicians; eight expert

witnesses; and three rebuttal expert witnesses. The plaintiffs estimate that they will conclude their evidence within ten working days.

Healthsouth - eight to ten lay witnesses and four to five expert witnesses;

Dr. Lowery - one to two lay witnesses and eight to ten expert witnesses;

Dr. Eason - four to six lay witnesses and four expert witnesses;

Weakley County Ambulance Services - one to two lay witness and three expert witnesses.

12. The order of proof will be in the same order in which the defendants are named in the caption of the case. However, defense counsel may vary the order of cross examination. Further, in the discretion of the Court, witnesses may be called out of turn if necessary to accommodate their schedule.

13. The Court will make a determination as to whether to allow juror questions prior to the commencement of the case.

14. The video of Cody Wade to be taken by the defendants shall not exceed ten hours and shall not exceed two segments. The video shall be made in such a manner as it will not be disruptive to the Wade family.

15. The plaintiffs' video of Cody Wade shall be provided to the defendants within ten days.

16. The jury instructions shall be displayed to the jury by screen. Individual instructions will not be provided to the jurors.

17. The parties will attempt to stipulate to medical records, medical bills, and other records which will be used at the trial.

18. Space will be made available to the defense attorneys on the third of the courthouse. The plaintiffs will use the offices of Attorney Roy Herron.

IT IS SO ORDERED.

Entered this 3rd day of May, 2012.

CIRCUIT JUDGE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this order was sent to all parties and/or counsel of record.

CIRCUIT COURT CLERK