

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE POLYURETHANE FOAM ANTITRUST LITIGATION	MDL Docket No. 2196 Index No. 10-MD-2196 (JZ)
This document relates to: ALL CASES	Judge Jack Zouhary

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING EXPERT DISCOVERY**

It is hereby STIPULATED AND AGREED, by and among the undersigned Direct Purchaser (Class) Plaintiffs, Indirect Purchaser (Class) Plaintiffs, Direct Action (Non-Class) Plaintiffs, and Defendants to the following regarding the scope of discovery relating to experts in this matter:

1. None of the parties, their experts, or their counsel are obligated or may be requested to produce budgets, invoices, bills, receipts or time or payment records concerning testifying or non-testifying expert witnesses or consultants, their staff, assistants, colleagues or associates or their companies or organizations.

2. Subject to the limitation set forth in paragraph 3 hereto, the following categories of information, documents or electronically stored information (“ESI”) need not be disclosed by any of the parties, their experts, or their counsel and are outside the scope of permissible discovery (including deposition questions):

a. drafts of reports, studies, or work papers (including preliminary or intermediate calculations, computations or data runs) and other preliminary, intermediate or draft materials prepared by, for, or at the direction of an expert witness or a non-testifying expert or consultant;

b. any oral, written or other communication between or among expert witnesses, non-testifying experts or consultants, or their staff, assistants, colleagues or associates, or between, on the one hand, expert witnesses, non-testifying experts or consultants, or their staff, assistants, colleagues or associates and, on the other hand, one or more attorneys (or their staff) for the party or parties offering the testimony of the expert witness; and

c. any notes, ESI or other writings taken or prepared by or for a testifying expert witness or non-testifying expert in connection with this matter, including correspondence, emails or memoranda to or from, and notes of conversations with, the expert's staff, assistants, colleagues or associates, one or more other expert witnesses or non-testifying expert consultants, or one or more attorneys (or their staff) for the party or parties offering the testimony of the expert witness.

3. Nothing in this stipulation shall permit any of the parties, their experts, or their counsel to withhold any proposition, fact, belief, data, information, document, or other material on which the expert relies in support of his or her opinion in this matter, including any material that would otherwise be exempt from discovery pursuant to paragraph 2 hereto.

4. Neither the terms of this Stipulation and Order nor the parties' agreement to them implies that any of the information restricted from discovery through this Stipulation and Order would otherwise be discoverable.

5. Any party may move the Court to modify this Stipulation and Order upon good cause shown.

6. The parties agree to comply with this Stipulation and Order pending the Court's approval.

Dated: August __, 2012

Respectfully submitted,

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SO ORDERED:

s/ Jack Zouhary
JUDGE JACK ZOUHARY
U.S. DISTRICT JUDGE

August 30, 2012

ENTERED