

4. a complete statement of the qualifications of the Expert, including a list of all publications authored by the Expert within the preceding ten years;

5. a complete statement of the compensation paid to the Expert by the party sponsoring that Expert in connection with his/her work in this matter, and all invoices or billing statements rendered by the Expert in connection therewith; and,

6. a listing of any other cases in litigation, or any administrative proceeding, in which the Expert has served an Expert Report, or has testified as an expert at trial or by deposition, within the preceding four years.

7. For avoidance of doubt, the following information and materials are excluded from expert discovery:

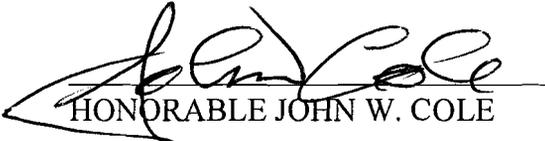
a. any notes, comments, edits or drafts of materials, charts, illustrative documents, exhibits, or reports prepared by an Expert, persons working under his/her supervision, parties to this litigation or their counsel working in connection with the Expert; and

b. all written or oral communications between the Expert and any Party or for a Party on whose behalf the Expert was engaged, except to the limited extent that an Expert expressly relies on such a communication as a matter of fact for the Expert's Expert Report.

Notwithstanding anything to the contrary in Fed. R. Civ. P. 26(a)(2)(B) or case law, no information concerning Experts other than that described above shall be subject to discovery in this action.

IT IS SO ORDERED.

Dated: 10-18-10


HONORABLE JOHN W. COLE