

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

GRADY SCARBROUGH, *et al.*

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:09CV644-CWR-FKB

BLACK & DECKER (U.S.) Inc.,
BRIGGS AND STRATTON CORPORATION,
and JOHN DOES I through X

DEFENDANTS

ORDER

THIS ACTION is before the Court on the agreement of the plaintiffs and defendants for entry of an order permitting testing on the urine specimen taken from decedent William Matthew Scarbrough that is in the possession, custody or control of MedScreens Inc., 720 Highway 80 East, Flowood, Mississippi 39232-0565, and/or of Dr. Christopher Long, 6039 Helen Street, Saint Louis, Missouri 63134. The Court, having considered the matter, orders as follows:

1. MedScreens Inc. and/or Dr. Christopher Long shall use standard procedures to test the urine specimen in their possession, custody or control of decedent William Matthew Scarbrough (MedScreens Inc. client numbers 09-147, Scott County, Mississippi) for the presence of stereo isomers and to distinguish and quantitate the D and L forms of the isomers.

2. MedScreens Inc. and/or Dr. Christopher Long shall prepare a report showing the results of testing done on the decedent’s urine and shall provide the report to the following:

Nathan C. VanDer Veer
Freese & Goss, PLLC
2031 2nd Avenue North
Birmingham, AL 35203-3703
E-mail: nathan@freeseandgoss.com
Fax: (205)871-4104

Lewis W. Bell
Watkins & Eager PLLC
P.O. Box 650
Jackson, MS 39205
E-mail: lbell@watkinseager.com
Fax: (601)965-1901

Roy A. Smith Jr.
Daniel Coker Horton & Bell
P.O. Box 1084
Jackson, MS 39215-1084
Rsmith@danielcoker.com
Fax: (601) 969-1116

Michael D. Simmons
COSMICH, SIMMONS & BROWN, PILC
Post Office Box 22626
Jackson, Mississippi 39225-2626
mike@cs-law.com
Fax: 601-863-0078

3. Defendant Black & Decker (U.S.) Inc. shall pay the cost of the test(s).

4. Plaintiffs reserve the right to challenge the admissibility of the testing or any results of such testing contemplated in this order. This order shall not constitute a waiver of the plaintiffs' rights to make such a challenge or challenges.

SO ORDERED this the 9th day of December 2011.

s/ F. Keith Ball
U.S. Magistrate Judge

AGREED:

/s/ Richard R. Freese
ATTORNEY FOR PLAINTIFFS

/s/ Lewis W. Bell
ATTORNEY FOR DEFENDANT
BLACK & DECKER (U.S.) INC.

/s/Roy A. Smith, Jr.
ATTORNEY FOR DEFENDANT
BRIGGS & STRATTON INC.

/s/ Michael D. Simmons
SUNDOWNER TRAILERS, INC.