

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GARY LINFOOT and wife)	
MARILYN LINFOOT, and GREGORY)	
COOPER,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:09-cv-639
)	
MD HELICOPTERS, INC.,)	Judge Sharp
MCDONNELL DOUGLAS HELICOPTER)	
COMPANY,L-3 COMMUNICATIONS)	
CORPORATION, and)	
KAMATICS CORPORATION,)	
)	
Defendants.)	

ORDER

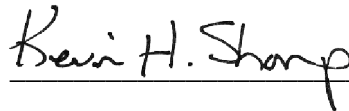
Defendant McDonnell Douglas Helicopter Company (MDHC) filed with the Court a renewed motion for summary judgment on March 28, 2012, as to choice of law and the application of a 10-year statute of repose relevant to Plaintiffs’ claims against MDHC. (Docket Nos. 111 & 113). That motion is fully briefed. (Docket Nos. 123 & 127).

On November 1, 2013, the parties filed supplemental notices regarding the status of discovery from the Army. (Docket Nos. 152 & 153). On November 12, 2013, the Court granted Plaintiffs’ request to defer ruling because discovery from the Army was incomplete. (Docket No. 154). Although that discovery request is now complete, Plaintiffs request additional time to depose five individuals who allegedly have direct knowledge of MDHC’s involvement with the

“design, testing and acceptance” of component parts of the subject helicopter that Plaintiffs say are “central” to their opposition to MDHC’s motion. (Docket No. 162 at 7).

The Court will grant Plaintiffs’ request to depose up to three of the five individuals described in Plaintiffs’ supplemental notice. (*Id.*). Plaintiffs have 90 days to take these depositions and notify the Court of any information discovered that is relevant to MDHC’s statute-of-repose defense. MDHC will have 15 days to respond to Plaintiffs’ supplemental notice. The Court will then rule on the pending motion.

It is SO ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive style with a horizontal line underneath it.

KEVIN H. SHARP

UNITED STATES DISTRICT JUDGE