

trial setting and chose not to take their depositions. These depositions could have been taken previously. Defendants opted not to take them.

Additionally, the Defendants had Mr. Clark's work records in their files and were fully aware of prospective fact witnesses. Any delay in taking any of these depositions was of Defendants' own doing.

Further, Plaintiffs retained five expert witnesses, all of whom were deposed by Defendants. Defendants also retained five expert witnesses, all of which were deposed by Plaintiffs.

II.

In summary, Plaintiffs request this case be set for trial before the Honorable Judge Ward in early December if the Court's schedule would so allow. Plaintiffs also seek a scheduling conference with the Court as soon as possible to establish the pre-trial schedule in connection with Plaintiffs' requested trial setting.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that its Motion for Expedited Trial Setting be in all things granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been duly forwarded to all counsel of record on this 14th day of September, 2007.



J. KEITH HYDE