IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

AUBREY CLARK AND WIFE, KELLY CLARK	§ 8	
Plaintiffs,	8 8	
1 (417779),3,	8 8	
vs.	§	CIVIL ACTION NO. 2:07-CV-191
	§	(Judge T. John Ward)
	§	
KELLOGG BROWN & ROOT, LLC, et al	§	
Defendants.	§	
	§	
Agreed Docke	et Cont	rol Order
1. November 9th	PLAT	NTIFFS will designate experts th
may be used at trial DI ATNITIFES will pre	ovida r	indated reports for any apport aninia

- may be used at trial. PLAINTIFFS will provide updated reports for any expert opinions that were not contained in depositions of any expert previously deposed in the Matagorda County case. To the extent that it has not been previously provided in the Matagorda County case, PLAINTIFFS will provide any supporting documentation required by Federal Rule 26 (a)(2)(B) (with the exception of a written report if an expert has already been deposed and their opinions have not changed). The parties agree that an expert's deposition testimony in the Matagorda County case will satisfy the Federal Rule's requirement for a written report, however, no expert opinions will be offered that are not provided in a written report or expert deposition.
- November 23rd DEFENDANTS will designate experts that may be used at trial. DEFENDANTS will provide updated reports for any expert opinions that were not contained in depositions of any expert previously deposed in the Matagorda County case. To the extent that it has not been previously provided in the Matagorda County case, DEFENDANTS will provide any supporting documentation required by Federal Rule 26 (a)(2)(B) (with the exception of a written report if an expert has already been deposed and their opinions have not changed). The parties agree that an expert's deposition testimony in the Matagorda County case will satisfy the Federal Rule's requirement for a written report, however, no expert opinions will be offered that are not provided in a written report or expert deposition.
- 3. November 16th PLAINTIFFS will identify all fact witnesses that may be used at trial. November 30th DEFENDANTS will identify all fact witnesses that may be used at trial. December 15th DISCOVERY – all discovery will be completed by 5. this date.

6.	December 31st	PLEADINGS – deadline to amend all pleadings.
7.	January 7 th , 2008	PRETRIAL CONFERENCE.
3.	TBD	BENCH TRIAL.
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		Respectfully submitted,
		By:/s/
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		BROWN & ROOT, LLC; BROWN &
		ROOT, INC.; and KBR, INC.

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By: ____/s/___

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Attorneys for Plaintiffs.

CERTIFICATE OF SERVICE

I,	the	und	ersigned,	hereby	certify	that	a	true	and	correct	copy	of	the	forego	ing	was
sei	rved	via	CM/ECF	for the	Eastern	Dist	ric	et of	Texa	s, this 5	5 th day	of	Nov	ember,	200)7.

/s/	
James G.	Martingano