

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

MDL No. 2328

IN RE: POOL PRODUCTS
DISTRIBUTION MARKET ANTITRUST
LITIGATION

SECTION: R(2)

JUDGE VANCE
MAG. JUDGE
WILKINSON

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER NO. 17

The Court held a status conference today with all parties. After hearing from the parties, the Court makes the following rulings:

1. The parties shall agree on electronic discovery search terms by March 20, 2013.
2. Defendants shall respond to plaintiffs' questions about the transactional data defendants have produced by March 13, 2013.
3. The parties shall contact Judge Layn Phillips, the proposed mediator in this action, by March 8, 2013, to discuss a mediation schedule.

MJ-STAR:	<u>1:30</u>
JS-10:	<u>1:30</u>

4. The parties shall submit their next reports on the status of fact discovery on April 2, 2013. Subsequent reports shall be submitted monthly by the 2nd day of each month.
5. The parties shall conduct the Rule 30(b)(6) deposition on Pool's pricing and acquisitions by May 15, 2013.
6. In scheduling remaining depositions, the unavailability of an individual lawyer shall not be grounds for refusing a proposed date.
7. The parties shall serve third party subpoenas as soon as practicable. The parties shall work with recipients of third party subpoenas to resolve objections as soon as objections are received. Unresolved objections will be decided by the Court informally, by telephone, without the need for motion practice, to the extent possible.
8. In depositions of third party witnesses, the DPPs and IPPs shall together have 50 percent of the deposition time, and Pool and Manufacturer Defendants shall share the other 50 percent.
9. The parties shall identify all deponents by August 1, 2013. No deponent may be added after August 1, 2013, absent agreement or a showing of good cause under Federal Rule of Civil Procedure 16(b)(4).

10. The Court will hold the next status conference on June 20, 2013, at 10:00 a.m. The parties shall submit to the court on June 17th, 2013, a report that describes the status of discovery, including discovery accomplished since the last conference, and issues to be discussed at the status conference.
11. The Court will separately enter a Deposition and Subpoena Guidelines order.

New Orleans, Louisiana, this 7th day of March, 2013.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE