

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: POOL PRODUCTS DISTRIBUTION	*	MDL NO. 2328
MARKET ANTITRUST LITIGATION	*	
	*	SECTION R(2)
	*	
	*	JUDGE VANCE
THIS DOCUMENT RELATES TO:	*	MAG. JUDGE
ALL CASES	*	WILKINSON
	*	
	*	

**POOL DEFENDANTS' SECOND BI-WEEKLY REPORT ON THE
STATUS OF FACT DISCOVERY**

Pursuant to PTO No. 16, Defendants Pool Corporation, SCP Distributors LLC and Superior Pool Products LLC (“Pool Defendants”) provide the following report on the status of fact discovery:

I. Custodians

The parties are discussing a single remaining custodian from the original list of 117 and confirming the final custodian list.

II. Data and Document Production

Pool Defendants will be providing answers to the numerous detailed questions posed regarding Pool Corporation’s transaction data produced last summer.

Pool Defendants have not received any transaction data from any of the named direct purchaser plaintiffs.

The Pool Defendants are continuing to review hard copy documents located in Covington from the FTC custodians to determine if there are any responsive records that need to be produced from the extended date period. Pool Defendants have also begun collecting e-mail for

the custodians to be reviewed. To date, the Pool Defendants have not received any document productions from the Plaintiffs.

III. Meeting to Discuss Depositions and Subpoenas

In accordance with the telephonic conference held before Magistrate Judge Wilkinson on Friday, February 8, 2013, the parties will be gathering in Washington, D.C. and on the telephone to talk tomorrow, February 13, 2013. Pursuant the Court's Order, Pool Corporation will be prepared to discuss the subpoenas it wants to serve on non-parties and the scheduling of depositions for non-parties and plaintiffs.

Dated: February 12, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2013, a copy of the foregoing Pool Defendants' Second Biweekly Report on the Status of Fact Discovery was served upon all parties by electronically uploading the same to LexisNexis File & Serve in accordance with Pretrial Order No. 8 in this case.

/s/ Deana L. Cairo _____