

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

IN RE: POOL PRODUCTS)
DISTRIBUTION MARKET ANTITRUST)
LITIGATION)
_____)

**MDL No. 2328
SECTION: R(2)**

**Judge Vance
Mag. Judge Wilkinson**

This Document Relates to: All Cases

**DEFENDANT ZODIAC POOL SYSTEMS, INC.’S
SECOND BIWEEKLY REPORT ON THE STATUS OF FACT DISCOVERY**

Pursuant to the Court’s December 7, 2012 Pretrial Order No. 16, ECF No. 183, Defendant Zodiac Pool Systems, Inc. (“Zodiac”) provides the following report on the status of fact discovery in this case.

By email dated January 31, 2013, Zodiac’s counsel agreed to counsel for Direct Purchaser and Indirect Purchaser Plaintiffs’ (collectively, “Plaintiffs”) revised list of 8 additional custodians whose documents they would like Zodiac’s counsel to search, for a total of 26 custodians whose documents and emails Zodiac’s counsel will search for production pursuant to Plaintiffs’ discovery requests in this case. As previously reported, Zodiac’s counsel also agreed to collect relevant documents contained in any remaining network folders that belonged to an additional 4 former Zodiac employees. Zodiac’s counsel began collecting documents from these custodians during the week of February 4, 2013, and collection activities are ongoing.

By letter dated January 31, 2013, Plaintiffs’ counsel provided Zodiac’s counsel with a list of questions relating to Zodiac’s previously produced transactional data. By email dated February 4, 2013, Zodiac’s counsel acknowledged Plaintiffs’ questions and indicated that inquiries would be made with the appropriate personnel within Zodiac.

Zodiac has not yet noticed any depositions or served any nonparty subpoenas, but anticipates doing so in the near future in accordance with Magistrate Judge Wilkinson's instructions during the telephonic conference held on February 8, 2013.

Dated: February 12, 2013

Respectfully submitted,

/s/ J. Brent Justus

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J. Brent Justus

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2013, a copy of the foregoing Defendant Zodiac Pool Systems, Inc.'s 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/ Samantha Griffin