

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: POOL PRODUCTS  
DISTRIBUTION MARKET  
ANTITRUST LITIGATION

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MDL NO. 2328

JUDGE VANCE

THIS DOCUMENT RELATES TO  
ALL CASES

SECTION R

MAGISTRATE JUDGE WILKINSON

MAG. DIV. 2

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**HAYWARD INDUSTRIES, INC.’S REPORT ON THE STATUS OF  
FACT DISCOVERY PURSUANT TO PRETRIAL ORDER #16**

Pursuant to the Court’s December 7, 2012 Pretrial Order #16, (D.E. 183), Defendant Hayward Industries, Inc. (“Hayward”) provides the following report on the status of fact discovery.

Hayward and the Direct and Indirect Purchaser Plaintiffs have reached a final agreement on the list of Hayward custodians from whom responsive, non-privileged documents will be collected and produced which consists of the following nineteen (19) custodians:

- David Albee
- Doug Bragg
- Carlo Buffa
- David J. Caldwell
- Robert Davis
- Andrew J. Diamond
- Tom Dissinger
- Thomas Evans
- Bruce S. Fisher
- Fred Manno
- Michael D. Massa
- John Mayer III
- George Metkovich
- Robert Nichols

Kevin L. Potucek  
David Randall  
Lawrence Silber  
William Whitmarsh  
Michael Williamson

Hayward and the Direct and Indirect Purchaser Plaintiffs are continuing to meet and confer in good faith regarding several additional issues pertaining to the scope of the document search to be conducted by Hayward.

Hayward has not yet noticed any depositions or served any nonparty subpoenas.

Respectfully submitted,

/s/ Richard Hernandez

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*Attorneys for Hayward Industries, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing Report on the Status of Fact Discovery has been served upon all parties by electronically uploading the same to Lexis Nexis File & Serve in accordance with Pretrial Order No. 8.

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/s/ Samantha Griffin