

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. 12

1. The Court held a status conference today with Liaison Counsel for Direct Purchaser and Indirect Purchaser Plaintiffs and Liaison Counsel for Pool and Manufacturer Defendants. During the conference, defendants explained their position that plaintiffs have not made adequate disclosures pursuant to Fed. R. Civ. Pro. 26(a)(1)(A) and Pretrial Order # 5.¹ The court heard from plaintiffs and ordered plaintiffs to identify individuals likely to have discoverable information that they may use to support their claims. This includes individuals plaintiffs relied upon in drafting the complaint, as well as any others who are likely to have discoverable information that plaintiffs may use to support their claims. Disclosure is NOT limited to individuals whom plaintiffs firmly intend to rely upon as witnesses. Nor is confidentiality a basis for nondisclosure. In

¹ R. Doc. 93.

light of the Court's order, plaintiff's counsel indicated that plaintiffs would make the ordered disclosure by **Wednesday, September 5, 2012.**

2. In light of disruption to court access caused by the recent hurricane, which delayed the filing of Manufacturer Defendants' motion to dismiss, the Court grants plaintiffs an extension to file a response to defendants' motions to dismiss to **Monday, October 1, 2012.** The response shall be a joint response from the Direct Purchaser and Indirect Purchaser Plaintiffs, limited to 63 pages, no more than 8 of which may be dedicated to issues unique to the Indirect Purchaser Plaintiffs.

3. Pool and Manufacturer Defendants have until **Friday, October, 12, 2012** to reply.

4. Oral Argument on the motions to dismiss will be held on **Wednesday, October 31, 2012 at 11:30 a.m.**

5. The status conference scheduled for September 6, 2012 is cancelled in light of today's conference.

New Orleans, Louisiana, this 4th day of September, 2012.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE