

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. 16

Pursuant to the Minute Entry entered on October 25, 2012, the parties submitted a joint statement memorializing each party's discovery obligations consistent with Pretrial Order No. 15.¹ The Court hereby approves the parties' joint statement and orders that each party shall comply with the discovery obligations described therein.

Also pursuant to the Minute Entry entered on October 25, 2012, Direct Purchaser Plaintiffs ("Plaintiffs"), the PoolCorp Defendants and the Manufacturer Defendants (collectively, "Defendants") conferred in an attempt to agree upon a joint proposed case management order to submit to the Court. The parties agreed on a schedule for production of documents pursuant to outstanding requests but did not agree on a schedule for

¹ R. Doc. 178.

expert reports, expert depositions, and motions practice.² On December 6, 2012, the Court conducted a status conference. Considering the submissions of counsel and their comments at the conference, IT IS ORDERED, pursuant to Federal Rule of Civil Procedure 16, that the following deadlines are established:

December 17, 2012: Parties must identify custodians whose documents they intend to search for production pursuant to discovery requests.

December 31, 2012: Parties must agree to custodians for production of documents pursuant to outstanding requests.

January 8, 2013: Defendants shall respond to plaintiffs regarding plaintiffs' proposed mediator, either by accepting the proposed mediator or identifying their own suggested mediator(s).

January 15, 2013: Commencement of fact discovery: earliest date on which parties may serve nonparty subpoenas, notice depositions, and commence rolling production of documents.

² R. Doc. 179 (Direct Purchaser Plaintiffs' Proposed Case Management Order); R. Doc. 180 (Defendants' Proposed Case Management Order).

- January 29, 2013: First date on which parties shall submit biweekly reports to the Court on the status of fact discovery.
- January 31, 2013: Plaintiffs shall identify their experts and provide descriptions of each expert's qualifications.
- February 28, 2013: Defendants shall identify their experts and provide descriptions of each expert's qualifications.
- March 6, 2013: The Court will hold a status conference at 10:00 a.m. The parties shall submit by February 27, 2013, a joint statement describing issues to be addressed at the conference.
- June 1, 2013: Parties must complete their rolling production of documents pursuant to outstanding requests.
- June 14, 2013: Parties must exchange privilege logs.
- December 31, 2013: Parties must complete all fact and class certification discovery.
- February 28, 2014: Parties shall simultaneously exchange their expert reports on all issues.
- March 31, 2014: Parties shall exchange reply expert reports.
- April 30, 2014: Parties must complete expert depositions.

June 30, 2014: All summary judgment, class certification, and *Daubert* motions must be filed.

August 30, 2014: Oppositions to all summary judgment, class certification, and *Daubert* motions must be filed.

September 30, 2014: Replies to all summary judgment, class certification, and *Daubert* motions must be filed.

October 28, 2014: Oral Argument on summary judgment, class certification, and *Daubert* motions commences at 10:00 a.m.

New Orleans, Louisiana, this 7th day of December, 2012.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE