
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>ALFWEAR, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>MAST-JÄGERMEISTER US, INC., and OPERMANWEISS, LLC.</p> <p style="text-align: center;">Defendants.</p>	<p>MEMORANDUM DECISION AND ORDER GRANTING PLAINTIFF'S MOTION FOR PROTECTIVE ORDER AND MOTION FOR AMENDED SCHEDULING ORDER</p> <p>Case No. 2:17-cv-936 TC DBP</p> <p>District Judge Tena Campbell</p> <p>Chief Magistrate Judge Dustin B. Pead</p>
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This matter is referred to the undersigned from District Judge Tena Campbell. (ECF No. 46.) Before the court are two motions filed by Plaintiff Alfwear, Inc. (KÜHL). (ECF No. 118, ECF No. 119.) Plaintiff first seeks “a protective order staying depositions of KÜHL’s expert witnesses until the Court, or the parties by stipulation, determine the manner in which the depositions will be taken and the mutually convenient dates for the depositions.” (ECF No. 118 p. 2.) Second, KÜHL seeks to extend the expert discovery deadline that is currently scheduled for July 15, 2020, and to move the deadline for dispositive motions and motions *in limine* currently set for August 12, 2020. (ECF No. 119.) Based on a review of the correspondence between the parties, the court notes that both motions could likely have been avoided if Alfwear had not acted dilatory and meaningfully communicated with Defendants prior to filing the motions.

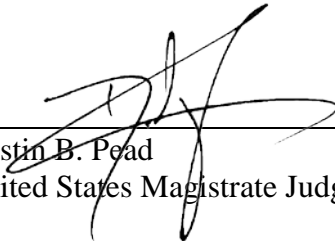
In response to both motions Defendants state that they do “not oppose the requested extensions of the dates specified in the Motions provided that the subsequent dates—including trial—in the Scheduling Order also be commensurately extended” Response p. 6, ECF No. 121. The court agrees that because Alfwear seeks to move certain deadlines, such as the

dispositive motion deadline, other corresponding dates must also be moved. The court therefore grants the unopposed motions and enters the following amended schedule.¹

Event	New Deadline
Expert Discovery Deadline	September 11, 2020
Deadline for Defendant to Respond to Preliminary Injunction Motion	September 18, 2020
Deadline to Filed Dispositive Motions and Motions in Limine	October 12, 2020
Plaintiff's Pretrial Disclosures	January 15, 2021
Defendant's Pretrial Disclosures	January 29, 2021
Settlement and Attorney Conference Deadline	February 12, 2021
Final Pretrial Conference	March 8, 2021 at 3:00 pm
Trial (8-day jury)	March 29, 2021 at 8:30 am

Accordingly, Plaintiff's motions are GRANTED. The parties are to use their best efforts in scheduling any remaining depositions.

DATED this 8 July 2020.



 Dustin B. Pead
 United States Magistrate Judge

¹ The court reminds the parties of their duties under Local Rule 37-1 that provides “[t]he parties must make reasonable efforts without court assistance to resolve a dispute arising under Fed. R. Civ. P. 26-37 and 45. At a minimum, those efforts must include a prompt written communication sent to the opposing party: . . . (B) requesting to meet and confer, either in person or by telephone, with alternative dates and times to do so.”