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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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BMW of NORTH AMERICA, LLC and
BAYERISCHE MOTOREN WERKE AG,)

No. CV 07-1936-PHX-SMM

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ORDER

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Plaintiffs,)

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v.)

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MINI WORKS, LLC; POLE POSITION)
PARTNERS GROUP, LLC; POLE)
POSITION USA, LLC; VICTOR)
BARREIRA; and LINDA SCHARABY,)

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Defendants.)

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Before the Court is Defendants’ Motion to Adjust Expert Disclosure and Discovery Deadlines (Doc. 72). Previously, the Court granted Plaintiff’s motion and reset Plaintiffs’ expert disclosure deadline to November 25, 2008 (Doc. 58). However, no similar extension was made to the deadline for Defendants to disclose their experts, or for Plaintiffs to disclose its rebuttal experts. Defendants request an adjustment to the deadline to submit their expert disclosures, as well as to the final discovery deadline.

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The Court recognizes that the extension of the deadline for Plaintiffs to disclose their experts necessitates a similar extension of Defendants’ expert disclosure. Similarly, an extension to Defendants will require an adjustment to the date for Plaintiffs to disclose any rebuttal experts. Furthermore, many of the dates in the Court’s June 16, 2008 Scheduling Order are approaching soon.

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Accordingly,

IT IS HEREBY ORDERED DENYING Defendants' Motion to Adjust Expert Disclosure and Discovery Deadlines (Doc. 72) without prejudice with leave to refile.

IT IS FURTHER ORDERED that the parties shall submit a stipulation by **Friday, January 9, 2009** outlining new dates for expert disclosure, completion of discovery, and dispositive motions. Also, possible dates for a new Pre-Trial Conference should be included in the stipulation.

DATED this 17th day of December, 2008.



Stephen M. McNamee
United States District Judge