

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

JENNIFER HILL, on behalf of herself
and all other person similarly situated,

Plaintiffs,

v.

Case No.: 1:06cv96-SPM/GRJ

THE HOOVER COMPANY, a foreign
corporation doing business in Alachua
County, Florida, and HOOVER
COMPANY, I,

Defendants.

ORDER

This cause of action originated in the Eighth Judicial Circuit Court in and for Alachua County, Florida and was removed to this court on May 9, 2006. (See doc. 1). Defendants filed a motion to remand the case back to state court (doc. 7), which was denied (see doc. 22). Thereafter, upon the parties' request, all proceedings in the case were stayed to allow the parties time to "explore the possibility of settlement." (See docs. 28 - 45). After extensive informal negotiations were ineffective and court-ordered mediation failed, the stay was finally lifted on April 4, 2012¹, defendants were directed to file a responsive pleading², and the parties were directed to submit a revised joint report with a proposed discovery plan.³ (See doc. 69).

¹ The parties' first joint request to stay was filed April 2, 2007. (Doc. 28). The stay was continued numerous times, at the parties request, to further settlement negotiations, for a period of five years.

² Upon leave of court, plaintiffs filed a Second Amended Complaint on May 1, 2012. (Doc. 79). Defendant's filed a motion to dismiss for failure to state a claim (doc. 86), which was granted in part and denied in part by order dated October 1, 2012 (doc. 102). Defendants answer to the Second Amended Complaint was filed October 17, 2012. (Doc. 106)

³ The parties filed independent reports (docs. 80, 82), with defendants requesting a stay of discovery pending a ruling on the pending motion to dismiss.

The court granted plaintiffs request to extend the deadline to file for class certification until 60 days after the defendants filed their answer to the Second Amended Complaint, creating a filing deadline of December 17, 2012. (See doc. 78). The parties jointly requested an extension to that deadline, which the court granted, creating the current deadline of April 1, 2012. (See doc. 110). This cause is now before the court on the parties' Joint Motion to Amend Deadlines. (Doc. 122). The parties seek to extend the deadline for filing plaintiffs' motion for class certification to July 23, 2013. The parties also wish to extend other discovery deadlines.⁴ Given the age of this action,⁵ the protracted stay pending settlement negotiations, and other interruptions and extensions experienced thus far, the court deems it appropriate to conduct a Rule 16 conference to establish a firm and effective class certification and pretrial schedule so that the litigation of this matter may proceed without further delay.

Accordingly, the parties' motion to extend deadlines (doc. 122) is GRANTED to the extent that any previously imposed deadlines are vacated. A Rule 16 conference will be conducted before the undersigned judge in the Gainesville Courthouse on Friday, April 19, 2013, at 9:00 AM, after which the court will issue a scheduling order imposing new deadlines.

DONE and ORDERED this 2nd day of April, 2013.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE

⁴ The parties submitted an Amended Rule 26 Report on February 21, 2013, setting forth a proposed discovery plan. (See doc. 117). The pending motion, filed one month later, suggests extensions to each of the dates proposed in the parties' joint report.

⁵ This case has been pending on this court's docket for just one month short of seven years.