

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 07-21221-CIV-ALTONAGA/BROWN

RENEE BLASZKOWSKI, *et al.*,
individually and on behalf of
others similarly situated,

Plaintiffs,

vs.

MARS, INCORPORATED, *et al.*,

Defendants.

[PROPOSED] ORDER

THIS CAUSE having come on before the Court on Defendants' Motion to Compel the Depositions of Plaintiffs, and the Court having considered the parties' arguments and the applicable law, and being otherwise fully advised in the premises, it is therefore **ORDERED**:

1. Defendants' Motion is **GRANTED**;
2. Plaintiff Donna Hopkins-Jones will be deposed in New York on August 4, 2008.
3. Plaintiff Tone Gaglione will be deposed in New York on August 5, 2008.
4. Plaintiff Michelle Lucarelli will be deposed in New York on August 6, 2008.
5. Plaintiff Claire Kotzampaltiris will be deposed in New York on August 7, 2008.
6. Plaintiff Susan Peters will be deposed in Miami on August 25, 2008.
7. Plaintiff Pat Davis will be deposed in Miami on August 26, 2008.
8. Plaintiff Raul Isern will be deposed in Miami on August 27, 2008.
9. Plaintiff Renee Blaszkowski will be deposed in Miami on August 28, 2008.
10. Plaintiff Danielle Valoras will be deposed in Miami on August 29, 2008.
11. Plaintiff Yvonne Thomas will be deposed in Miami on September 2, 2008.

12. Plaintiff Lisa MacDonald will be deposed in Miami on September 3, 2008.
13. Plaintiff Ann Quinn will be deposed in Las Vegas on September 8, 2008.
14. Plaintiff Deborah Hock will be deposed in Los Angeles on September 9, 2008.
15. Plaintiff Marlena Rucker will be deposed in Los Angeles on September 10, 2008.
16. Plaintiff Sandy Shore will be deposed in Los Angeles on September 11, 2008.
17. Plaintiff Patricia Hanrahan will be deposed in Los Angeles on September 12, 2008.
18. Plaintiff Linda Brown will be deposed in Minneapolis on September 16, 2008.
19. Plaintiff Stephanie Stone will be deposed in Washington, DC on September 22, 2008.
20. Plaintiff Carolyn White will be deposed in Washington, DC on September 23, 2008.
21. Plaintiff Joanne Murphy will be deposed in Washington, DC on September 24, 2008.
22. Plaintiff Jennifer Damron will be deposed in Washington, DC on September 25, 2008.
23. Plaintiff Jane Herring will be deposed in Washington, DC on September 26, 2008.
24. Plaintiff Cindy Tregoe will be deposed in Washington, DC on September 29, 2008.
25. Plaintiff Marian Lupo will be deposed in Washington, DC on September 30, 2008.
26. Plaintiff Julie Nelson will be deposed in St. Louis on October 6, 2008.
27. Plaintiff Beth Wilson will be deposed in St. Louis on October 7, 2008.
28. Plaintiff Lou Wiggins will be deposed in St. Louis on October 8, 2008.
29. Plaintiff Sharon Mathiesen will be deposed in St. Louis on October 9, 2008.
30. Plaintiff Debbie Rice will be deposed in St. Louis on October 10, 2008.
31. With regard to plaintiffs Donna Hopkins-Jones, Tone Gaglione, Michelle Lucarelli, and Claire Kotzampaltiris, at least 10 days prior to the particular plaintiff's deposition, defense counsel will propose a location for the deposition in the city in which the deposition has been set, which location will be at no charge to Plaintiffs. If Plaintiffs' counsel is dissatisfied with the location selected by the Defendants for any reason, Plaintiffs' counsel may suggest an alternate location, which will accommodate all defense counsel and telephone and videoconferencing access to the deposition, all at Plaintiffs' expense.
32. With regard to the remaining plaintiffs, at least 30 days prior to a particular plaintiff's deposition, defense counsel will propose a location for the deposition in the city in

which the deposition has been set, which location will be at no charge to Plaintiffs. If Plaintiffs' counsel is dissatisfied with the location selected by the Defendants for any reason, Plaintiffs' counsel may suggest an alternate location, which will accommodate all defense counsel and telephone and videoconferencing access to the deposition, all at Plaintiffs' expense.

33. Without a prior agreement by all defense counsel planning to attend the deposition at issue, a plaintiff may miss his/her scheduled deposition only for legitimate illness or personal emergencies, the circumstances of which must be explained to defense counsel as soon as possible but in any event prior to the date of that particular plaintiff's deposition.
34. Plaintiffs who miss their scheduled depositions are required to sit for deposition in Miami during the weeks of September 2, 2008 or October 20, 2008, even if the parties are required to double track the depositions during those periods to complete all of the depositions.
35. Further formal notice of the taking of Plaintiffs' depositions shall not be required, and defendant Natura Pet Products, Inc.'s prior deposition notices on behalf of all Defendants shall be deemed amended to the dates and locations set forth herein.
36. Defense counsel for each defendant and Plaintiffs' counsel may observe and participate in all depositions in person or via telephone and/or video conferencing to be arranged by the respective participating parties at their sole expense. One counsel for Plaintiffs and one counsel for each defendant attending the deposition, whether in person, by phone or by videoconferencing, shall be allowed to ask questions of the witness.
37. Each defendant will be able to designate the location of its own deposition(s) and that of its employees, at no charge to plaintiffs, provided that the deposition location shall be within the general proximity of the facility in which that defendant/witness is primarily employed.
38. No defendant will be required to sit for deposition until at least the first two sets of plaintiffs' depositions (New York and Miami) are concluded. Plaintiffs' counsel will discuss with each particular defense counsel the further specifics of his/her client's depositions.
39. Except as set forth herein, all depositions in this action will be subject to the local rules of the United States District Court, Southern District of Florida.

SO ORDERED, this ____ day of _____, 2008.

STEPHEN T. BROWN
UNITED STATES MAGISTRATE JUDGE