

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOE W. KUEFLER, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

WEBLOYALTY.COM, INC. and
FANDANGO, INC. d/b/a
FANDANGO.COM,

Defendants.

CIVIL ACTION NO. 06-cv-11620-JLT

**DEFENDANTS' RESPONSE TO PLAINTIFFS'
NOTICE OF FILING TRANSFER ORDER OF
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
AND REQUEST FOR STATUS CONFERENCE**

Defendants agree with Plaintiffs that a status conference would be useful at this stage in the litigation. However, Defendants believe that the conference should first address the scheduling of a hearing regarding Defendants' pending Motion for Summary Judgment and related motions, including Plaintiff's Motion for Rule 56(f) Discovery and Defendants' Motion for Sanctions, which were filed in the *Kuefler* action. Defendants believe that resolution of these motions should precede the normal Rule 16 Conference and related events under Rule 26, since it is those motions that should determine the scope of the action that would be addressed at the Rule 16 Conference.

Respectfully submitted,

WEBLOYALTY.COM, INC.
FANDANGO, INC.

By Their Attorneys

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Dated: February 23, 2007

Certificate of Service

I, Joan S. Mitrou, hereby certify that a true and accurate copy of the above document has been filed and served through the Court's electronic filing system, this 23rd day of February, 2007.

/s/ Joan S. Mitrou